

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2021

CORAM:

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.2682 of 2021

L.Nalini

... Petitioner

Vs.

State Rep. by

The Inspector of Police,
Singanallur Police Station,
Coimbatore.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioner on bail, in the event of her arrest in Crime No.2252 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.Aneesan
Government Advocate

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 385, 403, 420 and 120b of IPC in Crime No.2252 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. Earlier when the petitioner herein approached this Court for anticipatory bail with the plea that crime number not known. This Court, after considering the material placed by the petitioner and the respondent police, granted anticipatory bail in Crl.O.P.No.16905 of 2020 dated 23.10.2020. Thereafter, the police had registered the complaint in Cr.No.2252 of 2020 and taken up for investigation. At this juncture, the petitioner has filed this petition mentioning the crime number and seeks for fresh anticipatory bail.

3. It is also stated by the learned counsel for the petitioner that the petitioner has already moved this Court to quash the complaint and this Court has entertained the petition and granted stay for all further proceedings.

4. In the light of the above fact, this Court is of the view that there is no necessity to entertain apprehension of arrest, since already anticipatory bail has been granted by this Court and further proceedings in the complaint has been stayed.

5. However, taking note of the apprehension expressed by the learned counsel for the petitioner that, the petitioner may be detained based on the complaint given by one Sathishkumar S/o.Saraswathy, which is purely a civil dispute, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is directed to be released on bail in the event of arrest or her appearance, within a period of fifteen days, before the learned Judicial Magistrate No.III, Coimbatore on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties each, for a like sum to the satisfaction of the respondent police or to the satisfaction of the learned Magistrate concerned, as the case may be.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(c) the petitioner shall report the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On failure to comply the condition or breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

6.With the above directions, this Criminal Original Petition is ordered.

-sd/-

27/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.III, COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
SINGANALLUR POLICE STATION,
COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to S/O.M.VELMURUGAN Advocate on payment of necessary charges

CRL OP.2682/2021

सत्यमेव जयते Date :27/04/2021

RVR 29/06/2021

WEB COPY