

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Eleventh day of February Two Thousand Twenty One
PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN
CRIMINAL ORIGINAL PETITION No.6949 of 2020

N.KASTHURI

[PETITIONER / ACCUSED]

Vs

STATE BY [RESPONDENT]
INSPECTOR OF POLICE,
S-7, POLICE STATION,
MADIPAKKAM, CHENNAI-100.
(CRIME NO.190/2017)

For Petitioner : M/S P.GURUNADHAN Advocate

For Respondent : MR.G.RAMAN, Govt.Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 409, 420 and 467 of IPC, in Crime No.190 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the Proprietrix of M/s.Jai Maruthi Enterprises. She applied for car loan from the second respondent in the month of August 2015. She received loan and she did not make any payment. However, the complaint was lodged by the Executive Director of the second respondent and later they found that there had been Creation of documents leading to the petitioner being inflicted with registration of a FIR for the offences of 120B, 409, 420 and 467 of IPC. This Court had directed the statement of the petitioner to be recorded by a Woman Police Constable to ensure that the petitioner cooperates during the investigation.

3. Heard Mr.R.Gurunathan, learned counsel for the petitioner and Mr.Raman, learned Government Advocate (Criminal Side).

4. Considering the above facts and circumstances, particularly the fact that the petitioner had cooperated during the investigation by giving a statement as directed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of

fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Alandur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

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

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

[e] On 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].

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

-sd/-

11/02/2021

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 COURT
ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

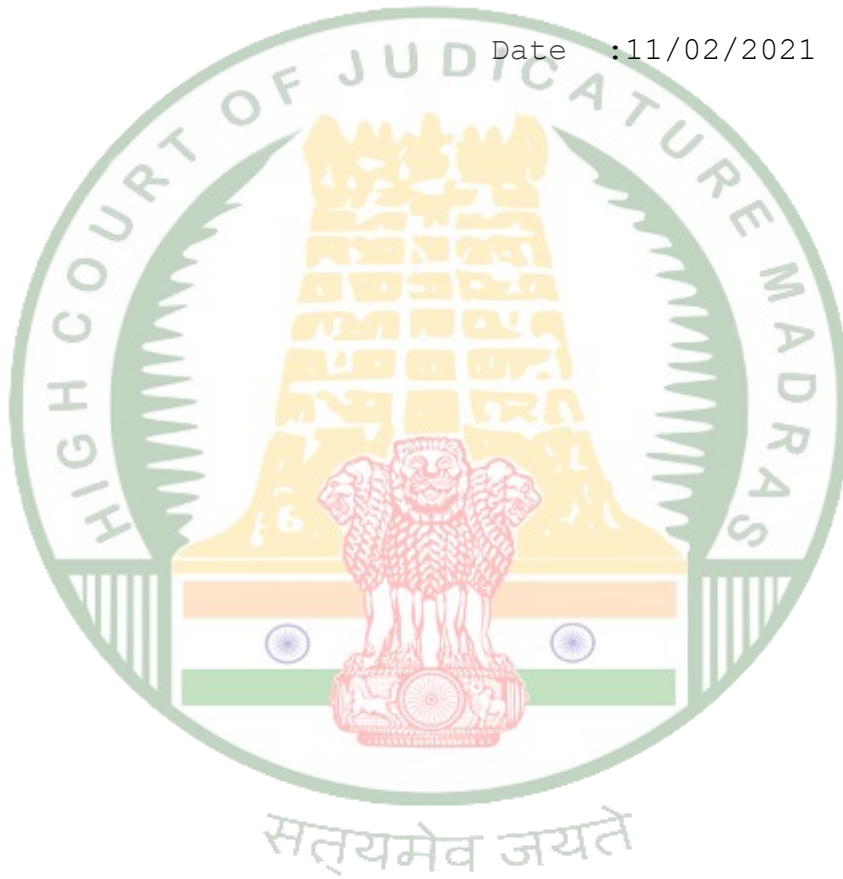
4 INSPECTOR OF POLICE,
S-7, POLICE STATION,
MADIPAKKAM, CHENNAI-100.

CC to M/S P.GURUNADHAN Advocate on payment of necessary charges
SR.1506

CRL OP.6949/2020

Date :11/02/2021

RVR 18/02/2021



WEB COPY