

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.06.2021

CORAM :

THE HON'BLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.No.6215 of 2021

R.Jayanthi

... Petitioner

Vs.

The State Represented by the,
Sub Inspector of Police,
P.S.Kolathur Police Station,
Salem District.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of her arrest in Crime No.95 of 2021 on the file of the respondent.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 466, 468 and 471, in Crime No.95 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had obtained a false community certificate from the Revenue Officials. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) opposed the petition on the ground that RDO enquiry is pending.

5.Considering the facts and circumstances of the case and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Mettur, 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 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 Court concerned 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 petitioners 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

17/06/2021

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.I, METTUR

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 THE SUB INSPECTOR OF POLICE,
P.S.KOLATHUR POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. V.VIJAY SHANKAR Advocate on payment of necessary
charges

CRL OP.6215/2021

Date :17/06/2021

RVR 12/07/2021