



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

Tuesday, the Twenty Seventh day of April Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.7810 of 2021

E.PRIYA

[PETITIONER / ACCUSED]

Vs

STATE BY
INSPECTOR OF POLICE,
VELUR POLICE STATION,
PARAMATHI VELUR,
NAMAKKAL DISTRICT.
CRIME NO.378 OF 2021.

[RESPONDENT]

For Petitioner : M/S.M.MARIMUTHU Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side)

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

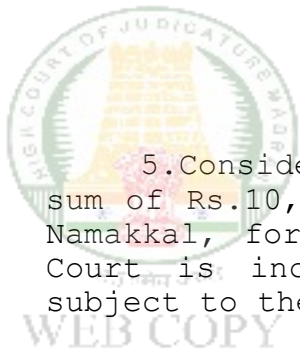
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 294 (b), 323, 353 and 506(i) of IPC in Crime No.378 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 09.04.2021, while the de-facto complainant, who is working as Health Inspector attached with Primary Health Centre, Kabilarmalai, along with his medical team was intercepting the petitioner for not wearing face mask and laid penalty of Rs.200/-, for which she refused to pay. Later, the petitioner's husband and three other persons came to the spot and abused the de-facto complainant in filthy language and assaulted him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case. The learned counsel, on instructions, further submitted that the petitioner is ready to deposit a sum of Rs.10,000/- to the Medical Officer/Dean, Government Hospital, Namakkal, to enable the Medical Officer/Dean to use the aforesaid amount for the purpose of treating the COVID-19 patients.

4.Heard the submissions made by the learned Government Advocate (Crl. Side).



5. Considering the fact that the petitioner is ready to deposit a sum of Rs.10,000/- to the Medical Officer/Dean, Government Hospital, Namakkal, for the purpose of treating the COVID-19 patients, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

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, Paramathi, Namakkal District, 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 shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) through demand draft drawn in favour of the Medical Officer/Dean, Government Hospital, Namakkal, to enable the Medical Officer/Dean to use the aforesaid amount for the purpose of treating the COVID-19 patients, within a period of two weeks. The challan/receipt of such payment shall be produced at the time of executing the bond.

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;



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

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-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,
PARAMATHI, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VELUR POLICE STATION,
PARAMATHI VELUR,
NAMAKKAL DISTRICT.

5 THE MEDICAL OFFICER/DEAN,
GOVERNMENT HOSPITAL,
NAMAKKAL

+1CC to M/S.M.MARIMUTHU Advocate on payment of necessary
charges SR NO.5377

CRL OP.7810/2021

Date :27/04/2021

MK:14/06/2021