

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.06.2021

CORAM :

THE HON'BLE Mr.JUSTICE R.SUBRAMANIAN

Crl.O.P.No.9778 of 2021

V.Jayalakshmi

... Petitioner

Vs.

State rep. By

The Inspector of Police,
Tiruppur Central Crime Branch Police Station,
Tamil Nadu - 641603.
Crime No.4 of 2021.

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of arrest in F.I.R. No. 4/2021, on the file of the respondent police dated 17.02.2021.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest in respect of Crime No.4 of 2021 registered against him under Sections 120 B, 406 & 420 IPC, seeks anticipatory bail.

2.The petitioner is aged about 56 years old and she would contend that her son has deposited a sum of Rs.7,20,000/- in her account without her knowledge. It is also claimed that her son has also withdrawn the said amount.

3.Considering the age of the petitioner and the fact that she is taking care of her grand children, I am of the considered opinion that the petitioner should be granted Anticipatory Bail subject to certain conditions. 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 resumption of regular court hearings at Tiruppur, before the

learned Judicial Magistrate No.IV, Tiruppur, subject to the following conditions:

(a) the petitioner shall also deposit a sum of Rs.3,00,000/- (Rupees Three lakhs only) before the learned Judicial Magistrate No.IV, Tiruppur at the time of surrender. The learned Magistrate shall not accept the bail bond, if the money is not deposited.

(b) 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;

(c) 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.

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

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(f) the petitioner shall not abscond either during investigation or trial.

(g) 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 Kerela [(2005) AIR SCW 5560].

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

4. With the above directions, anticipatory bail is granted and this Criminal Original Petition is ordered.

-sd/-

03/06/2021

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.IV, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE
TIRUPPUR CENTRAL CRIME BRANCH POLICE STATION,
TAMILNADU-641 603.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to V.RAGHAVACHARI Advocate on payment of necessary charges
Sr.27424 (F)

CRL OP.9778/2021

Date :03/06/2021

RVR 21/06/2021

WEB COPY