

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P.No.11048 of 2021

Tamil Selvi

... Petitioner/Accused

Vs.

State rep.by

The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.

(Crime No.1557 of 2021)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1557 of 2021 pending on the file of the respondent police.

For Petitioner : M/s.T.R.Thara

For Respondent : Mr.A.Gopinath
Government Advocate (CrI side)

ORDER

(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 384 and 392 of IPC in Crime No.1557 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had threatened and extorted the money of Rs.7,060/- (Rupees Seven Thousand and Sixty Only) from the defacto complainant. Hence, the law enforcing agency registered a case against the petitioner.

3. The learned Counsel for the petitioner would submit that the petitioner has not committed 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 petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner had threatened and extorted the money of Rs.7,060/- (Rupees Seven Thousand and Sixty Only) from the defacto complainant. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the submission made by the learned Government Advocate (Crl.Side), I am inclined to grant anticipatory bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XV Metropolitan Magistrate, George Town, Chennai, 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 daily at 10.30 a.m., for the period of two weeks and thereafter 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]; and;

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

-sd/-
29/06/2021

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 METROPOLITAN MAGISTRATE
NO.XV, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
H-5, NEW WASHERMENPET POLICE STATION,
CHENNAI.

+1 CC to M/S.T.R.THARA Advocate on payment of necessary charges
SR.No.6913

CRL OP.11048/2021

Date :29/06/2021

cs 12/07/2021

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