



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Second day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13294 of 2021

PANDISELVI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
EDF-1 WING, TEAM-1,
CENTRAL CRIME BRANCH,
VEPERY, CHENNAI-600007.
(CRIME NO.364 of 2014)

[RESPONDENT]

For Petitioner : M/S.M.SURESH Advocate

For Respondent : MR.C.E.PRATAP, 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 offence under Sections 420, 120B & 506(i) of IPC, in Crime No.364 of 2014, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's husband had borrowed money from the defacto complainant and the same was not repaid. Hence, the complaint.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that the petitioner is the wife of A1. He further submits that earlier occasion, the petitioner had filed the anticipatory bail application before the Madurai Bench of Madras High Court in Crl.O.P.No.17116 of 2013 for which, this Court had referred the matter before the Mediation and Conciliation Centre, attached to Madurai Bench and the matter was settled between the parties. He further submits that the petitioner is willing to execute the sale



deed in favour of the defacto complainant and the defacto complainant has not come forward to execute the sale deed. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case pending against the petitioner. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner agreed to execute the sale deed as per the Mediation report dated 23.01.2015 and there is no previous case pending as 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 Chief Metropolitan Magistrate, Egmore, 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, 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 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. until further orders.

(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/-
02/08/2021

WEB COPY

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 CHIEF METROPOLITAN MAGISTRATE,
EGMORE CHENNAI.

2 THE INSPECTOR OF POLICE,
EDF-1 WING, TEAM-1,
CENTRAL CRIME BRANCH,
VEPERY,
CHENNAI-600007.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.SURESH Advocate on payment of necessary charges

CRL OP.13294/2021

Date :02/08/2021

CSK 19/08/2021