



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Third day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13416 of 2021

1 UMA MAHESWARI

[PETITIONERS / ACCUSED]

2 ANANDH

Vs

THE STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

AVADI POLICE STATION,

AVADI, THIRUVALLUR DISTRICT.

(CR.NO.NOT KNOWN OF 2021)

For Petitioner : M/S.D.ARUN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 457 and 380 of I.P.C in Crime No.not known of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are close relatives. It is alleged that the petitioner has borrowed a sum of Rs.49,000/- as hand loan and failed to re-pay the same and she has stolen some valuables from the house of the defacto complainant. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Cr1.Side) submitted that there is no previous case pending against the petitioners.



5. Considering the fact that there is no previous case as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are 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 Judicial Magistrate No.I, Poonamallee, Thiruvallur 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 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 a 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 petitioners 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 petitioners 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/-

03/08/2021

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,
POONAMALLE. THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AVADI POLICE STATION,
AVADI, THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13416/2021

Date :03/08/2021

CSK 11/08/2021