

Crl.O.P.No.14943 of 2021

M.DHANDAPANI,J.

The matter is listed today under the caption “For Being Mentioned” at the instance of the learned counsel for the petitioner.

2.It is brought to the notice of this Court that some typographical error has been crept in para No.1 of the order dated 23.08.2021 and the same shall be replaced as follows:

"The Petitioner who apprehends arrest for the alleged offence punishable under Sections 341, 294(b), 353, 332, 506(ii) IPC r/w 3(1) TNPPDL Act and subsequently altered into Section 341, 294(b), 353, 332, 427, 506(ii) IPC in Crime No.410 of 2021 on the file of the respondent police, seeks anticipatory bail."

3. All other conditions imposed in the order dated 23.08.2021 shall remain intact except for the above said correction.

4. Registry is directed to carry out the necessary correction in the order dated 23.08.2021 and issue a fresh copy of the order to the learned counsel for the parties.

20.09.2021

msrm

Note- Issue order copy on 21.09.2021.

M.DHANDAPANI,J.

msrm



Crl.O.P.No.14943 of 2021

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20.09.2021

Crl.O.P.No.14943 of 2021**M.DHANDAPANI, J.,**

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 341, 294(b), 353, 332, 506(ii) IPC r/w 3(1) TNPPDL Act and subsequently altered into Section 341, 294(b), 353, 427, 506(ii) IPC in Crime No.410 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant one Vino Jayakumar, Sub-Inspector of Police who is attached to P-3 Vyyasarpadi Police Station and on 30.05.2021, he and his men were detained some suspecting accused persons in the police station. In this connection, the petitioners and others were barged into the police station and helped the detained accused to escape from the custody and tried to attack the police station and also caused injuries to them. Hence, the Law Enforcing Agency registered the case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner is the mother of one of the escaped accused/A4 and she is no way

connected with the offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that co-accused were arrested and remanded to judicial custody and they were enlarged on bail by Principal Sessions Court, Chennai in CrI.MP.No.11917 of 2021 dated 25.06.2021. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) submits the petitioner along with others have helped the detained accused to escape from the custody and caused injuries to them. He further submits that co-accused were enlarged on bail by Principal Sessions Court, Chennai in CrI.MP.No.11917 of 2021 dated 25.06.2021. However, he vehemently opposed for grant of anticipatory bail to these petitioner.

5. Considering the facts and circumstances and the submissions made by both counsel and there is no serious allegations made 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 X Metropolitan Magistrate Court, Egmore, Chennai-8***, 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 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 petitioners 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.

23.08.2021

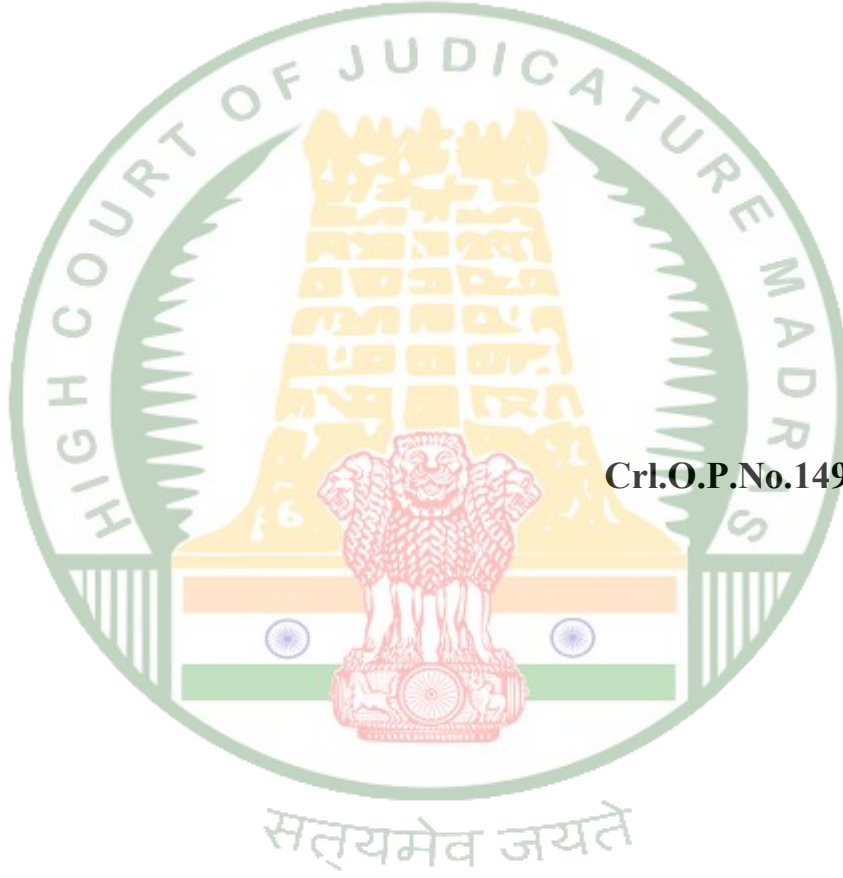
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M.DHANDAPANI,J.

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