



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15313 of 2021

M.RUPA BAI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE (CRIMES),
B.2, KANCHI VISHNU POLICE STATION,
KANCHEEPURAM DISTRICT.
B-2 (CRIME NO.207/2021)

[RESPONDENT]

For Petitioner : M/S D.N.DHURGASHA 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 for the alleged offence punishable under Section 294(b) and 506(i) IPC in Crime No.207 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the defacto complainant who is a practising advocate and his brothers' family. In this connection, one Rupa Bai and Ram Sah came to the defacto complainant's office and abused him in filthy language and criminally intimidated him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that there was a family dispute among the legal heirs of the deceased Radhakrishna Sah right from his death. He further submits that the dispute is between the defacto complainant and his brothers' family, she has nothing to do with the alleged offence. Therefore, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that due to family dispute between the defacto complainant and his brothers' family, the present complaint has been filed. He further submits that the no one sustained injury. However, he vehemently opposed for grant of anticipatory bail to these petitioner.

5.Considering the fact that no one sustained injury and the submissions made by both counsel, 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 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 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.

WEB COPY

-sd/-
26/08/2021

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 XV METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE (CRIMES),
B-2, KANCHI VISHNU POLICE STATION
KANCHEEPURAM DISTRICT.

+2 CC to M/S D.N.DHURGASHA Advocate on payment of necessary charges SR.NO.9140

CRL OP.15313/2021

Date :26/08/2021

RW 23/09/2021