



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Seventeenth day of September Two Thousand Twenty One
PRESENT

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The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.17164 of 2021

PRABHA @ PRABHAKARAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY ITS
THE INSPECTOR OF POLICE,
(H-4) KORUKKUPET POLICE STATION,
CHENNAI.
CR.NO.525 OF 2017.

[RESPONDENT]

For Petitioner : M/S.M.YASAR ARAFATH Advocate

For Respondent : MR. A.GOPINATH, 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 Sections 294(b), 341, 323, 384 and 506(i) of IPC in Crime No.525 of 2017 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant came near Kannan Road Railway Gate, the petitioner and another was restraining the defacto complainant and asked rowdy mamul, the same was refused by the defacto complainant. Thereafter, the petitioner and another beaten him by using hands and robbed a cash for a sum of Rs.500/- from him and also abused him in filthy language. Hence, the complaint.

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

4. The learned Government Advocate (Crl.Side) submits that the stolen amount was recovered.



5. Considering the facts and circumstances of the case and also the fact that the stolen amount was recovered, this court is inclined to grant anticipatory bail to the petitioner.

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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.

-sd/-

17/09/2021

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 XV METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
(H-4) KORUKKUPET POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

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

CRL OP.17164/2021

Date :17/09/2021

INBA 30/09/2021.