

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.19858 of 2020

1. Ravi
2. Piramila
3. Sangeetha

... Petitioners

-Vs-

The State rep by  
The Inspector of Police,  
All Women Police Station,  
Thiruthuraipoondi,  
Thiruvarur District.  
(Crime No.18 of 2020)

... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioners on bail in the event of their arrest in Crime No.18 of 2020 on the file of the Inspector of Police, All Women Police Station, Thiruthuraipoondi, Thiruvarur District.

For Petitioners : Mr.Swamisubramanian

For Respondent : Mr.S.Karthikeyan  
Additional Public Prosecutor

**ORDER**

**The case has been heard through video conference**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 419, 120(B) and 509 of IPC, in Crime No.18 of 2020, on the file of the respondent, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein are neighbours, it is alleged in the complaint that the 1<sup>st</sup> accused in this case is the daughter of the 1<sup>st</sup> and 2<sup>nd</sup> petitioners the allegation is that the first accused used the photograph of the daughter of the defacto complainant in her profile face book and thereby, she cheated so many people. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the main allegation against A1 and the petitioners are parents and relative of A1. He would further submit that A1, A4 and A5 have been arrested and thereafter they were released on bail. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the first and second petitioners are the parents of A1 and 3<sup>rd</sup> petitioner is relative of A1. He would further submit that the first accused used the photograph of the daughter of the defacto complainant in her profile face book and thereby, she cheated so many people. He further submit that the main accused in this case A1 has been arrested and subsequently he was released on bail. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, the main accused A1 has been released on bail, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruthuraipoondi, Thiruvavarur District on condition that the petitioners shall execute a separate 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 this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police as and when required for interrogation.

[c] the petitioners 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

7. With the above directions, this Criminal Original Petition is ordered.

-sd/-  
11/02/2021

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,  
THIRUTHURAIPOONDI, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,  
THIRUVARUR [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
THIRUTHURAIPOONDI, THIRUVARUR DISTRICT.

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

WEB COPY

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Date :11/02/2021

EP-02/03/2021