



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the First day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20126 of 2021

1 KRITHIKA [PETITIONERS / ACCUSED]
2 VINOTHEN
3 ANUSHALAKSHIMI

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VEPERY POLICE STATION,
CHENNAI.
CR NO.794/2021.

For Petitioner : M/S.S.N.SUBRAMANI Advocate

For Respondent : M/S.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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under secs. 406, 457 and 380 of IPC, in Crime No.794 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was not available in the house, the petitioners broke open the house and taken away the house documents and also stolen the house hold articles. Based on the complaint lodged by the defacto complainant, the respondent police registered a case.

3.The learned counsel appearing for the petitioners submits that the petitioners did not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He submits that it is purely a family dispute. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that A1 is the daughter, A2 is the Son-in-Law and A4 is the adopted daughter of the defacto complainant. However, he opposed grant of anticipatory bail to the petitioners.



5. Considering the facts and Circumstances of the case, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **II M.M. Egmore** on condition that the petitioners 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 petitioners 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 petitioners shall appear 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 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 petitioners 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/-

01/11/2021

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 METROPOLITAN MAGISTRATE,
NO.II, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
EGMORE, CHENNAI. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VEPERY POLICE STATION,
CHENNAI.

+1 CC to M/S.S.N.SUBRAMANI Advocate on payment of necessary
charges SR.NO.12302

CRL OP.20126/2021

Date :01/11/2021

TA-18/11/2021