



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.20516 of 2021

K.PALANIYAMMAL

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
SECRETARIAT POLICE STATION,
SECRETARIAT, KILPAUK,
CHENNAI-10.
CRIME NO.67 OF 2021

For Petitioner : M/S.C.PRAKASAM Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

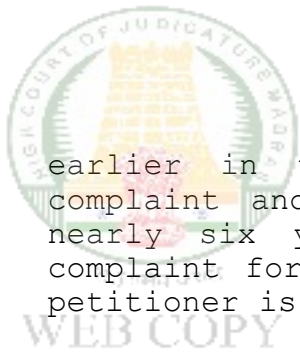
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 380, 384, 464, 465, 468, 471 and 420 of I.P.C. in Crime No.67 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 is an employee of the Fast Food Restaurant run by the defacto complainant and he used to handover accounts to the defacto complainant. On 18.02.2015, when the defacto complainant was in rest room, A1 entered the defacto complainant's room and stolen 30 sovereigns of gold chain and other valuable documents and when the defacto complainant asked to return the same, the accused are alleged to have demanded a sum of Rs.2 Lakhs. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that A1 is the brother of the petitioner and the defacto complainant had illegal relationship and



earlier in the year 2015, the defacto complainant filed false complaint and thereafter the same withdrawn and after a lapse of nearly six years, the defacto complainant has again made false complaint for the very same issue and would further submit that the petitioner is no way connected with the offence.

4.The learned Government Advocate (Crl. Side) submitted that investigation is pending.

5.Considering the fact that earlier the defacto complainant has lodged a complaint for the very same issue and the same was thereafter withdrawn, this Court is inclined to grant anticipatory bail to the petitioner.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 II Metropolitan Magistrate, 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 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 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-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-8.

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

3 THE INSPECTOR OF POLICE,
SECRETARIAT POLICE STATION,
SECRETARIAT, KILPAUK, CHENNAI-10.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.PRAKASAM Advocate on payment of necessary charges
SR.NO.12339

CRL OP.20516/2021

Date :01/11/2021

JPA 10/11/2021