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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM:

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21558 of 2021

Shamshath Begam

... Petitioner

Vs

State Rep. by
The Inspector of Police,
Vellore South Crime Police Station,
Vellore District.
Crime No.327 of 2016

... Respondent

Prayer : Criminal Original Petition has been filed under Section 438 of the Criminal Procedure Code, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.327 of 2016 on the file of the respondent police.

For Petitioner : Mr.G.Nirmal Krishnan

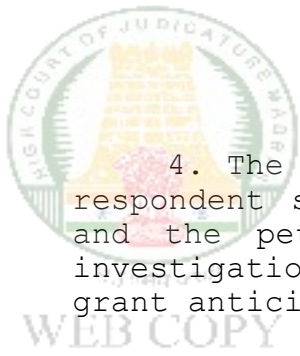
For Respondent : Mr.N.S.Suganthan,
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 465, 471, 420 of IPC, in Crime No.327 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that one Mr.Elango (Head Master) Sri Ramanujar aided Middle School lodged a complaint before the respondent police stating that on 10.10.2016 the petitioner submitted bogus educational certificate along with her passport application. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she through one broker has been falsely implicated in this case, she obtained certificate and prayed innocence. Hence, he prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the complaint was given in the year 2016 and the petitioner shall not cooperate for the enquiry and the investigation is still pending. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact, allegation levelled against the petitioner as well as the age of the petitioner she agreed to cooperate for the enquiry, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 *learned Judicial Magistrate No.I, Vellore*, 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 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 appear 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.

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17/11/2021

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 JUDICIAL MAGISTRATE,
NO.I, VELLORE, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VELLORE SOUTH CRIME POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. G.NIRMAL KRISHNAN Advocate on payment of necessary charges SR.NO.12968

CRL OP.21558/2021

Date :17/11/2021

CSK 19/11/2021