



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21770 of 2021

Annapushpam

...petitioner

Vs.

The State by,
The Inspector of Police,
CCB, Team XVII,
Chennai- District.
(Crime No. 166 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in the Crime No.166 of 2021 pending on file of the respondent police.

For petitioner : Mr.V.Ramachandran

For Respondent : Mr.N.S.Suganthan
Government Advocate

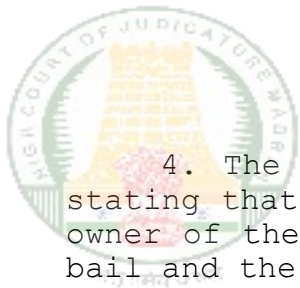
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 29.09.2021 for the offences under Sections 419, 465, 467, 468, 471, 34 and 109 of IPC, in Crime No.166 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner had impersonated the defacto complainant with the help of other accused persons and created a fabricated power of Attorney on 30.04.2021 in document No.3019/2021 with an intention to grab the property of the defacto complainant situated at Madipakkam village. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and she is no way connected with the alleged offence. He would further submit that the petitioner has been suffering incarceration for more than 50 days from 29.09.2021. Hence, he seeks for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner is the one who impersonated the original owner of the property but admits that co-accused has been released on bail and the investigation is almost completed.

5. Considering the facts and circumstances of the case and the fact that the investigation is almost completed and as per the order passed by the District Registrar, the alleged fabricated documents also endorsed with the Book of Registrar in the Registrar Office and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her executing 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 learned LG II Metropolitan Magistrate, Allikulam, Chennai. and on further conditions that:

(a) the sureties shall affix their 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 petitioner shall report before the respondent police on every Wednesday at 10.30 a.m. until further orders.

(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.

-sd/-

24/11/2021

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 LAND GRABBING II METROPOLITAN MAGISTRATE,
ALLIKULAM, CHENNAI.

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

3 THE SUPERINTENDENT,
WOMEN PRISON, PUZHAL, CHENNAI.

4 THE INSPECTOR OF POLICE,
CCB, TEAM XVII,
CHENNAI DISTRICT .

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.21770/2021

Date :24/11/2021

RW 25/11/2021