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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2021

CORAM:

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

Crl.O.P.No.22319 of 2021

Annapoorani

.. Petitioner

Vs.

The State Rep.by
The Inspector of Police
Namagiripet Police Station,
Namagiripet,
Namakkal District.
Crime No.694 of 2021.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of her arrest in Crime No.694 of 2021, pending on the file of the respondent.

For Petitioner : Mr.B.Jawahar

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 punishable under Section 294(b), 307 of IPC in Crime No.694 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's father-in-law had illegal affair with the petitioner for a long time. It is further alleged that the petitioner's sons became major, she avoided the relationship with the defacto complainant's father-in-law, but, he had continuously disturbed her. In this connection, the petitioner's sons called the defacto complainant's husband and advised him to warn his father, the defacto complainant's husband also advised them to warn their mother, which caused altercation and the petitioner's sons assaulted the defacto complainant's husband with iron rod, threatened him with dire consequences. Thereby, the



husband of the defacto complainant's sustained injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that the co-accused was already enlarged on bail. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) on instructions submits that the investigation was almost completed.

5. Considering the submissions made by both counsel and also considering the fact that the investigation was almost completed, 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 Judicial Magistrate, Rasipuram** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, 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 being a lady 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 has been imposed and the petitioner is 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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-sd/-
25/11/2021

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,
RASIPURAM, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NAMAGIRIPET POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S B.JAWAHAR Advocate on payment of necessary charges
SR.NO.13466

CRL OP.22319/2021

Date :25/11/2021

TA-01/12/2021