



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No. 24574 of 2021

Uma

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Thiruporur Police Station,
Chengalpattu District.
(Crime No.622 of 2021)

... Respondent

Prayer: Criminal Original Petition has been filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of her arrest in connection with Crime No.622 of 2021 on the file of respondent Police.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 419, 420, 465, 468 and 471 of IPC, r/w Section 34 of IPC in Crime No.622 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is arrayed as A2. As per the complaint given by the defacto complainant, the petitioner along with other accused created bogus document attempted to register the Release deed in their favour. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner was an innocent person and has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submits that the documents were not registered. As per the complaint given by the defacto complainant, the petitioner herein is alleged to be the settlee of the property but no document was registered. A1 is only an impersonated person and he was arrested. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions made by both counsel and also considering the fact that A1 is only an impersonated person and the petitioner herein is alleged to be the settlee of the property, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Chengalpattu 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, being a lady, shall report before the respondent police 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 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/-
21/12/2021

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, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUPORUR POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. R.SASIKUMAR Advocate on payment of necessary charges SR.NO.15231

CRL OP.24574/2021

Date :21/12/2021

CSK 27/12/2021