



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.240 of 2021

Meena Sugin Arulraj @ Rathimeena ... Petitioner/Accused 2

Vs

State rep by

The Sub Inspector of Police,
Kotticode Police Station,
Kanyakumari District
Cr No.240/2020.

... Respondent/Complainant

For Petitioner : Mr.V.Karthikeyan, for
M/s.Sathish Kumar.M.,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For an Anticipatory Bail in Crime No.240 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420,294(b), 506(i) of IPC in Crime No.240 of 2020, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3. The general allegation made against both A1 and A2 is that the first accused Sugin Arul Raj was a sales representative of Jessey Publication for the procuring orders and supply of books. During the course of transaction it is alleged that he collected money to the tune of Rs.8,00,000/- and not paid to the defacto complainant. When he was asked about the non payment of money he and his wife Meena Sugin Arulraj @ Rathimeena/A2 said to have



criminally intimidated him and also abused him with filthy language.

4. As far as this petitioner is concerned, the only allegations levelled against the petitioner is that she used filthy language and criminally intimidated the defacto complainant.

5. The allegations made in the complaint do not make out any case of cheating as against the petitioner. Taking into consideration the fact and circumstances of the case, 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 No.I, Padmanaphaburam 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before respondent police daily 10.30 am., 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08.04.2021

/ TRUE COPY /

/ /2021



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, PADMANAPHABURAM.
- 2.DO THROUGH THR CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT.
- 3.THE SUB INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANYAKUMARI DISTRICT
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.240 of 2021

Date : 08/04/2021

VB/SMA/SAR-II (16/04/2021) 3P / 5C