



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/04/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.4753 of 2021

R.Radhiga

... Petitioner/Accused No.2

Vs

The State Rep. by
The Sub Inspector of Police,
Kallal Police Station,
Sivagangai District.
Crime No. 55/2021

... Respondent/Complainant

For Petitioner : Mr.Muthusamy.P.,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

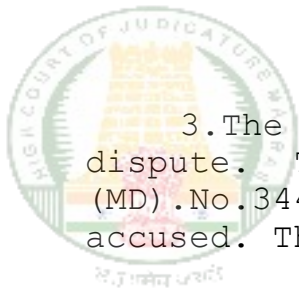
PRAYER :-

For Anticipatory Bail in Crime No.55 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 417, 420 and 506(ii) of I.P.C., in Crime No. 55 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.It is seen from the submission that the first accused said to have received a sum of Rs.6,00,000/- from the defacto complainant on promise to execute a sale deed in respect of the property. Later, he failed to execute the sale deed. When the defacto complainant has demanded to return the money, the first accused and this petitioner said to have abused and criminally intimidated the defacto complainant. Therefore, this case came to be registered.



3.The issue involved in this offence is primarily a money dispute. The first accused was granted anticipatory bail in CrI.O.P (MD).No.3442 of 2021. This petitioner is the wife of the first accused. Therefore, she is also granted anticipatory bail.

4.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Karaikudi, within a period of fifteen days from the date of receipt of a copy of this order, 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 said Magistrate 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 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]**.

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

sd/-
22/04/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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.



1. THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.

2. DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE SUB INSPECTOR OF POLICE,
KALLAL POLICE STATION,
SIVAGANGAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO Mr.MUTHUSAMY.P., ADVOCATE IN SR No. 3366

ORDER
IN
CRL OP(MD) No.4753 of 2021
Date :22/04/2021

MSA
TE/AKM/SAR-I : 17/05/2021 : 3P/6C