



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.11739 of 2021

WEB COPY

Sugapriya,

... Petitioner/1st Accused

Vs

The State represented by the
The Inspector of Police,
Fort (Law and Order) Police Station,
Trichy City.
(Crime No.827 of 2021).

... Respondent/Complainant

For Petitioner : Mr.Sarvagan Prabhu S,
Advocate.
For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.827 of 2021 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
147, 448, 294(b) and 506(2) of IPC in Crime No.827 of 2021, seeks
anticipatory bail.

2. The case of the prosecution is that already a civil dispute
is pending between the defacto complainant and his brother in
OS.No.333 of 2021 on the file of the District Munsif Court,
Tiruchirappalli. On the date of occurrence, the petitioner, who is
the wife of the defacto complainant's brother, along with other
accused entered into the defacto complainant's shop, threatened the
workers to vacate the shop and locked the shop. Hence, the
complaint.

3. The learned counsel for the petitioner submits that the
petitioner is an innocent person and she is falsely implicated in
this case due to business rivalry.

4. The learned Government Advocate (Criminal Side), opposed
on the ground that investigation is yet to be



completed. However, he would submit that no one has been injured in this case.

5. Considering the nature of allegation levelled against this petitioner and the fact that no one has been injured in this case, this Court is inclined to grant anticipatory bail to the petitioner and hence, this petition is allowed.

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 Judicial Magistrate No.1, Tiruchirappalli on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the Magistrate concerned and on further conditions 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 as and when required, until further orders.

[c]the petitioner shall not tamper with the 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/08/2021

/ 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.

TO

1. The Judicial Magistrate No.1,
Tiruchirappalli
2. Do Through
The Chief Judicial Magistrate,
Tiruchirappalli.
3. The Inspector of Police,
Fort (Law and Order) Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-5602[I] dated 23/08/2021)

ORDER

IN

CRL OP(MD) No.11739 of 2021

Date : 19/08/2021

TR/PN/SAR-II(27.08.2021) 3P 6C