



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

Date : 24/08/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
CRL OP(MD). No.12006 of 2021

WEB COPY

Jayarani @ Jayarani Bai, ... Petitioner/Accused No.2

Vs

State rep by
The Inspector of Police,
District Crime Branch,
Kanyakumari District.
Cr.No.32 of 2019.

... Respondent/Complainant

For Petitioner : M/s. Balaji.V,
Advocate.

For Respondent : Mr.Antony Sahaya Prabakar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.32 of 2019 on the file of the Respondent police.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 420 of I.P.C., in Crime No.32 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner had earlier filed Crl.O.P.(MD) No.12150 of 2020. I dismissed the same primarily on the ground that the petitioner's husband was absconding. The petitioner filed subsequent petitions also. They also met on the same fate for the very same reason. Now it is stated that the petitioner's husband was arrested and he had come out on statutory bail.

4. Though the allegations are serious and the matter involves job racketing, the allegations are directed primarily against A-1 / husband of the petitioner. The first information report was
<https://hsevisitors.in/hsevisitors> back in the year 2019. The petitioner was earlier



granted interim protection and she had also appeared before the respondent. I am of the view that the custodial interrogation of the petitioner may not be warranted.

5. Therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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, Nagercoil, Kanyakumari District, 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 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 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/08/2021

/ TRUE COPY /

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

PMU

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



TO

1. The Judicial Magistrate No.I, Nagercoil, Kanyakumari District.

2. do through

The Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3. The Inspector of Police,
District Crime Branch, Kanyakumari District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SURESH KUMAR, Advocate (SR-5664[I] dated
25/08/2021)

ORDER

IN

CRL OP(MD) No.12006 of 2021

Date : 24/08/2021

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