



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

Date : 29/11/2021

PRESENT

The Hon'ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17888 of 2021

WEB COPY

RANI

... PETITIONER/ACCUSED NO.4

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR.
(CRIME NO.12 OF 2018) ..

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.Narayanan R,
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.12 of 2018 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 409, 465, 467, 468, 471, 420, 109 IPC., in Crime No.12 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The main case of the prosecution as against the petitioner is that she had registered the documents without insisting for the original documents. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the main accused A1 was already arrested and released on bail by the Principal Sessions Court, Thanjavur. He would further submit that the second accused has already filed two suits before the District Munsif Court, Thanjavur against the defacto complainant and the cases are pending. He would further submit that A3 was already granted bail by the District Court.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that there existed civil dispute between the parties. They have filed the suits before the concerned Court and are pending.



5.Considering the nature of the charges levelled against the petitioner and also the fact that the first and third accused have already been released on bail and upon considering the facts and circumstances of this case, 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 his 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, Thanjavur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of one month and thereafter, as and when required for interrogation.

(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]***; and;

(f)if the accused/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/11/2021

/ 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. JUDICIAL MAGISTRATE NO.I,
THANJAVUR.
 2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.NARAYANAN, Advocate (SR-8649[I] dated 30/11/2021)

ORDER
IN
CRL OP(MD) No.17888 of 2021
Date :29/11/2021

das
USK/PN/SAR-IV/ (03.12.2021) 3P-6C