



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/11/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) . No.18085 of 2021

Suganthi

... Petitioner/Accused No.1

Vs.

State rep.by

The Inspector of Police,
Othakadai Police Station,
Madurai District.

(Crime No.490 of 2019).

... Respondent/Complainant

For Petitioner : M/s.Navaneetharaja.K., Advocate.

For Respondent : M/s.T.Senthil Kumar,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.490 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 appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under section 67 of the Information Technology Act, 2008 in Crime No.490 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner had earlier filed CrI.O.P.(MD)No.17182 of 2019 seeking anticipatory bail and the relief was granted on conditions. Though the petitioner complied with the conditions, she did not surrender and execute sureties. She filed an extension petition. It was also allowed. However the petitioner failed to furnish sureties. Therefore, the earlier order has got worked out.



The petitioner once again wants this Court to show indulgence to her.

4. Considering the fact that the petitioner is a young woman and she also complied with the conditions, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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, Melur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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/-
19/11/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.IV)
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,
MELUR.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT .
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. NAVANEETHARAJA.K. Advocate SR.No.8336

ORDER
IN
CRL OP (MD) No.18085 of 2021
Date :19/11/2021

SP/VR/SAR IV/22/11/2021/3P/6C