



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.Nos.1314 of 2022

N.Sivagami

...Petitioner

Vs.

State Rep. By

... Respondent

The Inspector of Police,
Marakkanam Police Station,
Marakkanam, Vilupuram.
(Crime Number not known of 2022)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of arrest in Crime number not known of 2022 pending on the file of the respondent police.

For Petitioners : Mr.A.Surendar

For Respondent : Mr.A.GokulaKrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 506 (ii) of IPC in Crime number not known of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner running a matrimony in the name and style of Sri Krishna Thirumana Thagaval Maiyam, the defacto complainant approached the petitioner and got Rs.2,500/- for getting bride details, but, the petitioner failed to do so. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instruction, on his own volition, without prejudice his defence, ready and willing to contribute a sum of Rs. 20,000/- for any charitable purpose as imposed by this Court Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor raised objection stating that the petitioner cheated the lot of persons in similar manner.

5. Considering the submissions made by both counsel and also considering the fact that there is no previous case as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned **Judicial Magistrate No.II, Tindivanam** on condition that the petitioner shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners are directed to deposit a sum of **Rs.20,000/-** (Rupees Twenty thousand only) to the credit of Madras High Court Advocate Clerks Welfare Association, Chennai within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

(c)**the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;**

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

-sd/-
24/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TINDIVANAM, VILLUPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MARAKKANAM POLICE STATION,
MARAKKANAM,
VILUPURAM DISTRICT.

5 THE ADVOCATE CLERKS WELFARE ASSOCIATION,
HIGH COURT, CHENNAI.

CC to M/S. R.SARAVANAN Advocate on payment of necessary charges

CRL OP.1314/2022

Date :24/01/2022

TA-08/02/2022