



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2022

WEB COPY

CORAM:

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

Cr1.O.P.No.1219 of 2022

M.Latha

.. Petitioner

Vs.

The Inspector of Police,
District Crime Branch,
Vellore-632009.
(Crime No.13 of 2021)

...Respondent/complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to grant anticipatory bail to the petitioner in the event of his arrest by the respondent police in Cr.No.13 of 2021 now pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Karthic, Senior counsel
for Mr.S.Prashant

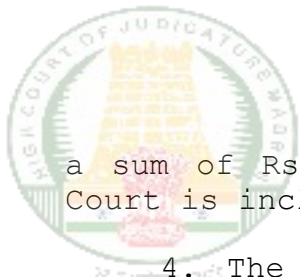
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 506(i) of IPC in Crime No.13 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and along with her family members borrowed a sum of Rs.2,50,00,000/- from the defacto complainant and failed to repay the same and asked about that, the petitioner threatened her with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she is no way connected in this case. He further submits that the petitioner's name has not been mentioned in the FIR. However, on instructions, the learned counsel further submits that the petitioner, on her own volition, without prejudice to her defence, is ready and willing to contribute



a sum of Rs.1,00,000/- to the credit of Crime No.13 of 2021, this Court is inclined to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent stating that this Court already dismissed the anticipatory bail petition against the Accused/ A1 and A2 and granted anticipatory bail to the Accused/A3 and A4 in CrI.OP.No.20954 of 2021 dated 22.11.2021.

5. Considering the facts and circumstances of the case and the the submissions made by both counsel and also considering the fact that the petitioner, on her own volition, without prejudice to her defence, is ready and willing to contribute a sum of Rs.1,00,000/- to the credit of Crime No.13 of 2021, 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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, deposit Rs.1,00,000/- before the learned Judicial Magistrate-I, Vellore on such deposit 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 condition that:

[a] the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.13 of 2022 before the concerned Magistrate within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and on such deposit, the defacto complainant is permitted to withdraw the said deposit amount of Rs.1,00,000/- on proper identification and acknowledgment;

[b] 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;

[c] the petitioner shall report before the respondent police on Saturday at 10.30 a.m for a period of four weeks and thereafter as and when required for an 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 has been imposed and the petitioner is 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/-

21/01/2022

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.I, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VELLORE 632 009

CC to M/S.S.PRASHANT Advocate on payment of necessary charges
Sr.1062

CRL OP.1219/2022

Date :21/01/2022

RVR 31/01/2022