



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.01.2022

CORAM:

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

Cr1.O.P.No.1783 of 2022

R.Jeyanthi

.. Petitioner

Vs.

The State Rep.by
The Inspector of Police,
District Crime Branch,
Chengalpattu.
Crime No.44 of 2018.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of her arrest or his appearance before any Court in connection with the case in Crime No.44 of 2018 which is pending on the file of the respondent Police .

For Petitioner : Mr.S.N.Subramani

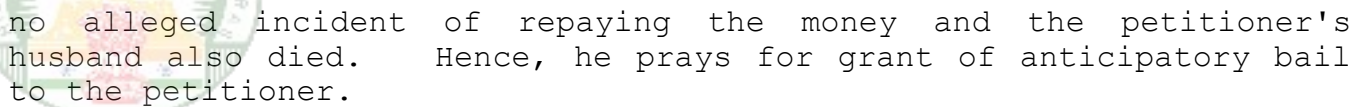
For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 420 of IPC, in Crime No.44 of 2018, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner's husband had sold a part of property to the defacto complainant in the year 2018 and after registration of sale deed, the petitioner's husband agreed to repay a sum of Rs.14,50,000/- to the defacto complainant and having not done so, the defacto complainant had filed the present complaint before the respondent police. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is working as a daily Coolie and she is an innocent person and he has been falsely implicated in this case. He further states that, the petitioner's husband had sold the land for a valid consideration and the said land was also duly registered and there is



petitioner's

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a). Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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.I, Chengalpattu, 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 condition that:

[a] the petitioner is directed to deposit a sum of Rs.4,00,000/- (Rupees four Lakhs only) to the Crime No.44 of 2018 on the file of the learned Judicial Magistrate No.I, Chengalpattu, within a period of fifteen (15) days after lifting of lock down or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

[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 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 petitioners 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/-

28/01/2022

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, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE ,
DISTRICT CRIME BRANCH,
CHENGALPATTU.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.N.SUBRAMANI Advocate on payment of necessary charges SR.No.1470

CRL OP.1783/2022

Date :28/01/2022

CSK 04/02/2022