



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5290 of 2022

SAKINA SOPHIE

[PETITIONER / ACCUSED]

Vs

UNION TERRITORY OF PUDUCHERRY
REP BY INSPECTOR OF POLICE,
TOWN POLICE STATION,
KARAIKAL, PUDUCHERRY.
CRIME NO. 0045 OF 2022

[RESPONDENT]

For Petitioner : M/S. N.A.NISSAR AHMED Advocate

For Respondent : MR.V.BALAMURUGANE, Additional Public Prosecutor
For Puducherry

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest for the alleged offence under Sections 66(d) of IT Act 2000 and Sections 420, 511, 120-B, 384 and 34 of I.P.C, in Crime No.0045/2022, seeks anticipatory bail.

2. The petitioner facing investigation in Crime No.0045 of 2022 on the file of Town Police Station, Karaikal apprehending arrest is before this Court seeking anticipatory bail alleging that, she has been falsely implicated in this case by the defacto complainant against whom she has preferred a complaint.

3. This Court had an opportunity to consider the bail petition filed by the defacto complainant in the counter complaint against this petitioner and granted anticipatory bail to him. As far as the present case is concerned, though this Court is not able to understand why this petitioner had shadowing the defacto complainant and thereafter, making allegation against him, afford opportunity and to complete the investigation, the anticipatory bail is granted.



4. Accordingly, the petitioner is ordered to be released on anticipatory 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- II, Karaikal, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), with two sureties 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 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 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 anticipatory 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
11/03/2022

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, KARAIKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
KARAIKAL, PUDUCHERRY.

4 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1 CC to M/S. N.A.NISSAR AHMED Advocate on payment of necessary
charges SR.NO.3856

CRL OP.5290/2022

Date :11/03/2022

JPA 16/03/2022