



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5087 of 2022

1 N.TAMIL MAGAL
2 SANTHIYA RAJENDRAN
3 PRABAVATHI RAJA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
K-8, ARUMBAKKAM POLICE STATION,
CHENNAI.
(CR.NO. 1046/2021)

[RESPONDENT]

For Petitioner : M/S.VIGNESHWARAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Sections 330, 341, 348, 354, 506(ii) of IPC altered to 330, 343, 348, 354, 506(i) of IPC in Crime No.1046 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Based on the complaint given by one Jothika (defacto complainant), it is alleged that she had been illegally detained by the petitioners suspecting that she had stolen 10.5 Sovereign of Gold Jewels when she was engaged as a home maid nurse to attend the paternal aunt of one Tamil Selvi.

3. The learned counsel for the petitioner would submit that the said Tamil Selvi has already given a complaint against Jothika (defacto complainant) for theft of 10.5 Sovereign of Gold Jewels and for counter blast the present false complaint has been lodged as if the said Jothika was allegedly detained and tortured by the petitioners.



4. The learned Government Advocate submits that the petitioners herein who engaged the defacto complainant as nurse maid to take care of their ill relative, the petitioners had pressurized the defacto complainant to return back the jewels. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. In view of the above facts, this Court is inclined to grant anticipatory bail.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Metropolitan Magistrate Court No.V, Egmore on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (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 condition that:

(a) the petitioners and the sureties shall affix his 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 shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer daily at 10.00 until further orders.

(d) the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners 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;



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

WEB COPY

-sd/-

04/03/2022

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 METROPOLITAN MAGISTRATE
NO.V, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K-8, ARUMBAKKAM POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+3CC to M/S.M.PONMUDI Advocate on payment of necessary charges
SR.No.3344

CRL OP.5087/2022

Date :04/03/2022

CSK 14/03/2022