



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8462 of 2022

K.TAMILARASI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE, P6,
KODUNGAIYUR POLICE STATION,
KODUNGAIYUR,
CHENNAI-600 118.
CRIME NO. 308/2022

[RESPONDENT]

For Petitioner : M/S.T.I.RAMANATHAN Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 507, 506(I) of IPC and under Section 66, 43(a), 43(b) of the Information Technology Act, 2000 in Crime No.308 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest by the respondent police in Crime No.308 of 2022 based on the complaint given by one Vengatraman is before this Court seeking anticipatory bail. The petitioner is a retired head mistress of a private school, she is mother-in-law of one Umashankar who is an accused in a POCSO case and he is in judicial custody, in this connection it is alleged that the petitioner attacked the de facto complainant Vengatraman who is the uncle of the minor victim in Crime No.27 of 2021. Wherein, son-in-law of the petitioner is a accused and in judicial custody. The allegation found in the FIR is that the petitioner called the de



facto complainant and requested him to withdraw the case against her son-in-law not to file intervening petition in the bail petition and not to give evidence. The conversation has been recorded by the de facto complainant is produced to the respondent police along with the complaint.

3. The learned counsel for the petitioner would state that, there was no such conversation as alleged by the de facto complainant and in fact the son-in-law of the petitioner was granted bail by the High Court on 17.03.2022, whereas, this complaint was lodged on 10.03.2022 and crime number was assigned on 26.03.2022, if the threat is real, the de facto complainant would have not intervened when the bail petition was moved.

4. Taking note of the submissions on either side, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is 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 X Metropolitan Magistrate Egmore, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer as and when required for interrogation;

(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 has 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;



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

WEB COPY

-sd/-

12/04/2022

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.X, EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
P6, KODUNGAIYUR POLICE STATION,
KODUNGAIYUR, CHENNAI-600118.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.V.SRIDHAR Advocate on payment of necessary charges
SR.NO. 5592

CRL OP.8462/2022

Date :12/04/2022

RW 19/04/2022