



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12526 of 2022

1 PALANI
2 LATHA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY ITS,
THE INSPECTOR OF POLICE,
AVADI POLICE STATION,
CHENNAI.
CR.NO.2073 OF 2021.

[RESPONDENT]

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

For Intervener : M/S.V.G.GUHON MURUGAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 416 and 420 of IPC, in Crime No.2073 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are the parents of A1. The defacto complainant deposited some amount in a bank account as directed by A1 and thereafter he was cheated by her. Hence the complaint.

3. The learned counsel for the petitioners would submit that already the petitioners were granted interim anticipatory bail by this Court on 01.06.2022 and further directed the petitioners to report before the respondent police and co-operate for the enquiry.



4. The learned Additional Public Prosecutor submitted that as directed by this Court, the petitioners promptly appeared before the respondent police and co-operated for the interrogation.

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5. Considering the above fact and circumstances of the case, the custodial interrogation of the petitioners does not require in this case and this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Poonamallee, on condition that each of the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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 have 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]**.



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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-sd/-
24/06/2022

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, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AVADI POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.SASIKUMAR Advocate on payment of necessary
charges SR.NO.10005

CRL OP.12526/2022

Date :24/06/2022

TA-30/06/2022