



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13153 of 2022

KARTHIGA PRIYADHARSINI

[PETITIONER / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
THIRUPORUR POLICE STATION,
KANCHIPURAM DISTRICT.
CR.NO.196/2021.

[RESPONDENT]

For Petitioner : M/S S.JAGANATHAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 & 506(ii) of IPC in Crime No.196 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the *de facto* complainant are facebook friends. It is alleged that the petitioner repeatedly insisted the *de facto* complainant to lend some money and thereby *de facto* complainant arranged a sum of Rs.7,00,000/- as two parts to the petitioner. While so, the petitioner once again asked for money stating that she is in need of funds for medical treatment, due to which the *de facto* complainant gave Rs.3,30,000/-. It is alleged that, on the whole the *de facto* complainant had deposited Rs.10,30,000/- to the petitioner's bank account. When the *de facto* complainant asked for repayment of the loan amount, the petitioner refused to repay the amount and abused her in filthy language. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner has already been granted anticipatory bail by this Court in CrI.O.P.No.22596 of 2021 dated 02.12.2021. Later, filed a modification petition in CrI.M.P.No.14410 of 2021 in CrI.O.P.No.22596 of 2021 and the same was ordered on 06.01.2022. However, the petitioner could not able to comply the earlier order passed by this Court and she is now ready and willing to comply by the conditions. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the investigation is almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering submission made by the learned counsel appearing for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the credit of Crime No.196 of 2021, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate No.1, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the credit of Crime No.196 of 2021, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police on every Saturday at 10.30 a.m, until further orders.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[f] the petitioner shall not abscond either during investigation or trial.

[g] 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 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]**.

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

-sd/-

07/06/2022

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.I, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUPORUR POLICE STATION,
KANCHIPURAM DISTRICT.

+1 CC to M/S S.JAGANATHAN Advocate on payment of necessary charges SR.NO.8687

CRL OP.13153/2022

Date :07/06/2022

TA-13/06/2022