



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14423 of 2022

M.SATHIYAPRIYA

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KARUNGALPALAYAM POLICE STATION,
KARUNGALAPALAYAM,
ERODE - 638 003.
CRIME NO.110/2022

[RESPONDENT]

For Petitioner : M/S.G.YOGANARASHIMMAN Advocate

For Respondent : M/S.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), 406, 465, 468, 471 and 506(ii) of IPC, in Crime No.110 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the father in law of the petitioner/accused, the husband of the petitioner had died on 19.09.2020 in a road accident, after his death, the petitioner had redeemed the jewels of her mother-in-law, which were mortgaged by her husband and also sold their vehicles by creating forged documents and affixing forged signature of her mother-in-law and when it was questioned by her in-laws, the petitioner abused and threatened them with dire consequences. Hence, the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner threatened the defacto complainant with dire consequences. Further, he submitted that there is no previous case pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 Judicial Magistrate-I, Erode, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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 appear 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 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.

WEB COPY

-sd/-

28/06/2022

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, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KARUNGALPALAYAM POLICE STATION,
KARUNGALAPALAYAM,
ERODE - 638 003.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.G.YOGANARASHIMMAN Advocate on payment of necessary charges SR.NO. 10171

CRL OP.14423/2022

Date :28/06/2022

RW-05/07/2022