



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.25816 of 2021

1.Sugumar
2.Padmavathi
3.Priya

... Petitioners

Vs.

State by,
The Inspector of Police,
All Women Police Station,
Nannilam, Thiruvarur District.
(Crime No.18 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioners on bail, in the event of his arrest by the respondent police in the case pending investigation in Crime No.18 of 2021, on the file of the respondent police.

For Petitioners : Mr.Swamisubramanian

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 498(A), 323 and 506(ii) of I.P.C, in Crime No.18 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor submits that, on an earlier occasion this Court directed the petitioners to deposit Rs.20,000/- every month to the defacto complainant as interim maintenance.

3.The learned counsel appearing for the petitioners on instructions submitted that, as per the order of this Court dated 20.01.2022, Rs.20,000 was deposited by petitioner on 21.01.2022 to the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.



4. Considering the fact that interim maintenance of Rs.20,000/- was deposited by the petitioner and to that effect bank statement also affixed, this Court is inclined to grant anticipatory bail to the petitioners, with a condition that he should pay Rs.20,000/- regularly to the daughter's account on every first week of every month until it is modified by appropriate forum failing which the anticipatory bail granted shall stand dismissed.

5. Accordingly, the petitioners is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned District Munsiff cum Judicial Magistrate, Nannilam, Thiruvavarur District on condition that 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 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 Court concerned 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 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]; and;



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

-sd/-

02/02/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NANNILAM,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NANNILAM, THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary charges

CRL OP.25816/2021

Date : 02/02/2022

RVR 11/02/2022