



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/03/2022

PRESENT

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The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4147 of 2022

Vijaya Lakshmi

... Petitioner/8th Accused

Vs

The State Rep. By,
The Inspector of Police,
District Crime Branch,
Karur, Karur District.
(Crime No.3/2022).

... Respondent/Complainant

For Petitioner : M/s.Sivaram J,
Advocate.

For Respondent : Mr.M. Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.3 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.8, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 420, 465, 468 and 506(i)I.P.C., in Crime No.3 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the other accused, by suppressing the existence of 13feet common pathway had executed a document measuring 77 cents of land by including the common pathway, for which, the petitioner, who was the then Block Development Officer, had helped them to get document executed and registered.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that totally there are 8 accused, that the petitioner is the accused No.8 and that the investigation is going on.



5. Considering the nature of charges levelled against the petitioner and also the fact that the petitioner is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of her arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Karur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30a.m., for period of 30 days and thereafter 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 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/-
03/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.I,
KARUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KARUR, KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4147 of 2022
Date :03/03/2022

USK/PN/SAR-I/08.03.2022/3P/5C