



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

Date : 11/05/2022

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.7777 of 2022

WEB COPY

Vanaja

... Petitioner / Accused No.2

Vs

The State rep.by,

The State represented by

The Inspector of Police, DCB, Theni District.

(Crime No.11 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Saravanakumar  
Advocate.

For Respondent : Mr.S.Ravi  
Additional Public Prosecutor.

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

PRAYER :-For Anticipatory Bail in Crime No.11 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

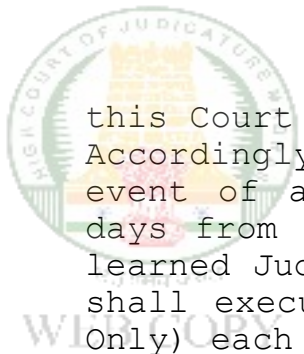
The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120(b), 468, 471 of IPC r/w 45 of Advocates Act 1961 in Crime No.11 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the Accused No.2 and her son is Accused No.1. The first accused has joined the office of the defacto complainant, who is an Advocate. The first accused told the defacto complainant that he has enrolled himself as an Advocate and he has produced fabricated documents of LLB Degree. The Accused persons are doing Kanthu Vatti business by saying that the first accused is an Advocate. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioner has not committed any offence as alleged by the prosecution. Based on the false information, the above case was foisted against the petitioner and hence she seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the co-accused, in this case, has already been released on bail.

5. Considering the facts and circumstances of the case and the  
<https://hcservices.ecm.sco.int/hcservices/> Co-accused in this case has been released on bail,



this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 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 10.30 a.m for a period of two weeks, thereafter, as and when required;

(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]***; and

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

sd/-  
11/05/2022

/ TRUE COPY /

16/05/2022  
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,  
THENI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THENI DISTRICT
- 3 THE INSPECTOR OF POLICE  
DCB, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SARAVANA KUMAR, Advocate ( SR-4679[I] dated 13/05/2022 )

ORDER  
IN  
CRL OP(MD) No.7777 of 2022  
Date :11/05/2022

pnn / sn  
MK/SVR/SAR.II/16.05.2022/3P/6C