



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

Date : 23/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16115 of 2022

WEB COPY

Susimala

... Petitioner/Sole Accused

Vs

State rep. by

The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

In Crime No.494 of 2022

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi
Govt. Advocate (crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.494 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole Accused, who apprehends arrest at the hands of respondent police for the offence punishable under Sections 417 and 420 IPC in Crime No.494 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working as Branch Manager at Muthoot Mini Finance, Aranthangi Branch. The complainant used to pledge her jewels in the said Finance Company. There is a money dispute between the petitioner and the defacto complainant. Hence, they gave complaint each other.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that a counter complaint is also filed against the defacto complaint. Hence, the learned counsel prays for anticipatory bail.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that it is a case and counter case with regard to the money transactions. Hence, he opposed to grant anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case, so considering the fact that it is a case and counter case with regard to the money transactions, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, 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 to the Police Officer, who intends to arrest or to the satisfaction the learned Magistrate concerned and on further conditions 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 once in fifteen days at 10.00 am for a period of two months.

(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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

skn

<https://www.mhc.tn.gov.in/judis>



Note : In view of the present lock down owing to COVID-19, 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.

WEB COPY

1. THE JUDICIAL MAGISTRATE, ARANTHANGI, .
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.
3. THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-10515[I] dated
26/09/2022)

ORDER
IN
CRL OP(MD) No.16115 of 2022
Date :23/09/2022

RK/GB/SAR-1 (30/09/2022) 3P/6C