



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

Date : 15/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.16597 of 2022

Amutha Jaganathan

... Petitioner/Accused
Rank Not Known

Vs

The State Rep. By,
The Inspector of Police,
Cyber Crime Police Station,
Trichy District.
(Crime No. 23 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Mohanakrishnan G,

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 419, 420, 468, 471 r/w 34 IPC and 66C, 66D, 84 B of I.T.Act, in Crime No.23 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute between one Vijay and Juli, the said Vijay approached a Deductive one Sathishkumar to monitor the movements of said Juli and paid him Rs.21,000/-. A1 to A3 are private deductives. A3 handed over the CDR records to A1, fraudulently. Hence, the complaint.

3.On the side of the petitioner, it is stated that a false case was foisted against the petitioner. This petitioner is arrayed as A3. Co-accused/A1, A2 were already enlarged on bail. Hence, prays to release her on anticipatory bail.



4. On the side of prosecution, it is stated that the co-accused were enlarged on bail. A1 to A3 are the private deductives. Hence, prays to dismiss the petition.

5. Considering the nature of the offence, facts and circumstances of the case, considering that the co-accused were already enlarged on bail and considering that the petitioner is not having any antecedent at his credit, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Trichy District, 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 of 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 daily at 10.30 am for a period of one month 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 be present before the Court on hearing dates and before the respondent police as and when required;

(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/-

15/09/2022

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/09/2022

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



TO

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

+1 CC to M/s.G.MOHANA KRISHNAN, Advocate (SR-10115[I] dated
16/09/2022)

ORDER
IN
CRL OP(MD) No.16597 of 2022
Date :15/09/2022

pnm
USK/VR/SAR-I/20.09.2022/3P/6C