



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/10/2022
PRESENT

WEB COPY

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

CRL OP(MD) . No.18841 of 2022

Mageshwari

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
East Town Police Station,
Thanjavur District.
(Crime No.1297 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Suresh M,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

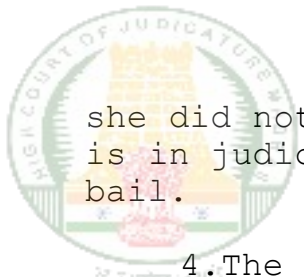
PRAYER :- For Bail in Crime No.1297 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/ 1st Accused, who was arrested and remanded to judicial custody on 16.09.2022 for the offences punishable under Sections 294(b), 506(ii) and 420 of IPC, in crime No.1297 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant used to purchase gold coins from the petitioner. On the date of occurrence, the defacto complainant purchased gold coins from the petitioner. Later, it came to know that the said gold coins are fake. When the same was questioned, there was a quarrel arose between them and the petitioner and other accused abused her in filthy language and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to money dispute between them, a false case has been registered against the petitioner. The petitioner is an innocent person and



she did not commit any offence as alleged by the prosecution. She is in judicial custody from 16.09.2022 and hence, she may be granted bail.

4. The learned Additional Public Prosecutor strongly opposed for grant of bail to the petitioner stating that the petitioner is having one previous case of similar in nature and the investigation in this case is not yet completed. He would further submit that the co-accused were released on bail by the learned Principal Sessions Judge, Thanjavur.

5. Considering the facts and circumstances of the case and considering the period of incarceration and also the fact that the co-accused were already released on bail, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Judicial Magistrate No.II, Thanjavur.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police on every Sunday at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].

sd/-

20/10/2022

/ TRUE COPY /

20/10/2022

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



TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT
CENTRAL PRISON (WOMEN), TRICHY DISTRICT.
- 4 THE INSPECTOR OF POLICE,
EAST TOWN POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.18841 of 2022
Date :20/10/2022

cp
SA/VR/SAR. /20.10.2022/3P/6C