



Crl.O.P.No.12836 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 IPC, in Crime No.106 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant, the officer of the department of women and child development, old age pension, Government of Puducherry is that the accused furnishing false information had received a sum of Rs.82,000/- as grant from the Government and cheated it. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner is a deserted women. Subsequent to which, she was given protection by one Murugavel and she has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioner was initially a deserted women and she had been receiving pension from the Government. Later, she developed illicit intimacy with one Murugavel and also delivered a child. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 on which the order copy made ready, before the learned Judicial Magistrate -I, Puducherry on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand



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only) 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, failing which, the petition for anticipatory bail shall stand dismissed 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 one weeks 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 petitioner in accordance with law as if the conditions have been imposed



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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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.06.2023

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