



Crl.O.P.No.19882 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.19882 of 2023

Anu @ Roopa

...Petitioner

Vs.

State represented by
The Inspector of Police,
Tiruchengode Police Station,
Namakkal District.
Crime No.211 of 2023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.211 of 2023, on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.07.2023 registered for the offences punishable under Sections 394 @ 394 r/w 397, 452, 120(B) IPC in Crime No.211 of 2023 on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in a case registered for the offences under Sections 394 @ 394 r/w 397, 452, 120(B) IPC in Crime No.211 of 2023. Petitioner is in Judicial Custody from 20.07.2023. Thus, he seeks bail to the petitioner.

3. In response, Additional Public Prosecutor opposes this petition, on the ground that, A1 namely the husband of the petitioner had snatched the 7 1/2 sovereigns chain and gave it to this petitioner. Petitioner had pledged the stolen jewel with Manapuram Finance. Now the jewel is recovered. However, he seeks for dismissal of this petition.

5. Considering the fact that petitioner is a woman and that she has



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no previous case pending against her, that she is in judicial custody from 20.07.2023, that material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner. Accordingly, petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five Thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Tiruchengode** and on further conditions that :-

[a] 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 as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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].

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

29.08.2023

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To

1.The Judicial Magistrate, Tiruchengode.

2.The Inspector of Police,
Tiruchengode Police Station,
Namakkal District.

3.The Central Prison,
Salem.

4.The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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