



WEB COPY

CRL OP(MD).



23

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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8703 of 2023

J.Rajammal

... Petitioner/Accused Rank not known

Vs

The Inspector of Police,
E3 Anna Nagar Police Station,
Madurai City.

(*)Crime No.2645 of 2016.

... Respondent/Complainant

For Petitioner : M/s.Rajesh.R.,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in **(*)Crime No.2645 of 2016** on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 380 IPC in **(*)Crime No.2645 of 2016**, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's husband was involved in theft of jewels and that he was already arrested and released on bail in Crime No.2645 of 2016. Based on that the petitioner was called for enquiry. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is not living with her husband.

4.The learned Government Advocate (Crl.side) appearing for the

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respondent police submitted that only 8 sovereigns of j as recovered out of 32 sovereigns of jewels and the investigation of the case is almost completed.

5. Considering the facts and circumstances of the case and also considering the fact that petitioner is only a husband of A1, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition is allowed and 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 No.VI, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties (of which one should be a blood related surety) each for a like sum 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 Aadhaar 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 two months and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the 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]**.

sd/-

17/05/2023

**(*) Amended as per order of the court dated
07/06/2023 in Cr1 MP(MD)No. 7877 OF 2023 IN
CRLOP(MD)No. 8703 of 2023 by GKIJ**

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/06/2023

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



TRP
TO

TO BE SUBSTITUTED WITH THE ORDER DATED 17/05/2023 ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
E3 ANNA NAGAR POLICE STATION, MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.RAJESH.R. Advocate SR.No.8343(I)

ORDER

IN

CRL OP(MD) No.8703 of 2023

Date :17/05/2023

SS/MMS/SAR-III/19.05.2023/ **3P/ 6C**

AAV

PKP/MMS/SAR- /12.06.2023/ **3P/6C**