



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

Date : 13.03.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.18194 of 2022

Elsi Rani

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Kalakkad Police Station,
Kalakkad,
Tirunelveli District.
(Crime No.246 of 2022)

... Respondent/Complainant

For Petitioner : Mr.J.Sankara Pandian, Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.246 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 294(b) and 506(ii) IPC in Crime No.246 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused and the petitioner herein are husband and wife. The first accused borrowed Rs.80,000/- from the defacto complainant and failed to repay the same. Hence, the case.

3.Heard and perused the materials available in the records.

4.It is seen that the first accused borrowed money from the defacto complainant and failed to repay the same. The petitioner, who is the wife of the first accused, is nothing to do with the said transaction. Further, A1 was arrested and he is in judicial custody. Therefore, custodial interrogation of the petitioner does



5. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. 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, Nanguneri, Tirunelveli 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 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 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 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.

sd/-

13/03/2023

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/03/2023

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

gns

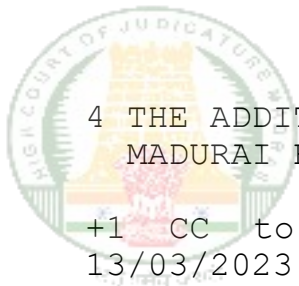
TO

1 THE JUDICIAL MAGISTRATE, NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, KALAKKAD POLICE STATION, KALAKKAD,
TIRUNELVELI DISTRICT.

<https://www.madrashighcourt.org/>



CRL OP(MD)N



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

+1 CC to M/s.SANKARA PANDIAN J, Advocate (SR-4096[I] dated
13/03/2023)

WEB COPY

ORDER

IN

CRL OP(MD) No.18194 of 2022

Date :13/03/2023

RS/CG/SAR-3(24.03.2023) 3P 6C