



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 02/01/2023

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PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.22765 of 2022

Sathya

... Petitioner/Accused No.2

Vs

State rep.by  
The Inspector of Police,  
Musiri Police Station,  
Trichy District.  
In Crime No.219 of 2022

... Respondent/Complainant

For Petitioner : Mr.K.Arun Raj, Advocate

For Respondent : Mr.K.Sanjay Gandhi  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.219 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 471 and 420 IPC in Crime No.219 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Renganathan, who is the Food Safety Officer of Musiri Town, Trichy District, is that the accused are running business in the name of Shri Lakshmi Iyengar Bakery and Sweets. During inspection, it was found that they have fabricated a FSSAI License and affixed it in their shop. Hence, the complaint.

3. The learned counsel for the petitioner/A2 submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that the accused had



approached a consultant, who had given the certificate to and they have not done any fabrication and they are running the business for several years without any blemish. He would also submit that the petitioner is a lady and she is a dormant partner in the business.

4. The learned counsel for the petitioner submits that the co-accused in this case has been granted anticipatory bail by this Court in Crl.O.P(MD)No.12098 of 2022 dated 23.08.2022. Hence, he prays for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) submits that by giving a wrong address, certificate has been obtained by the accused and the petitioner is arrayed as the second accused in this case. Hence, he prays for dismissal of this application.

6. Considering the fact that this Court has already granted anticipatory bail to the co-accused in this case in Crl.O.P(MD) No.12098 of 2022 dated 23.08.2022, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Musiri**, 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 Station everyday at 10.30 a.m. until further orders;

[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 Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and

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

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sd/-  
02/01/2023

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/01/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

CM

TO

- 1 THE JUDICIAL MAGISTRATE,  
MUSIRI
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE  
MUSIRI POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.ARUNRAJ K ---, Advocate ( SR-59[I] dated 03/01/2023 )

ORDER  
IN  
CRL OP(MD) No.22765 of 2022  
Date :02/01/2023

PKP/BUC/SAR-4/10.01.2023/3P/6C