



Crl.O.P.No.2776 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 498(A), 406, 294(b) and 420 of IPC in Crime No.71 of 2023 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that defacto complainant's husband Xavier Jeganathan is the brother of the petitioner. The marriage between the complainant and her husband took place in the year 2005 and they got two children. The defacto complainant and A1 lived together for 19 years in marriage life and due to difference of opinion between the defacto complainant and her husband, the petitioner and other family members are unnecessarily roped in the complaint. The petitioner received loan from the defacto complainant's husband for the purpose of purchasing a house and failed to repay it. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a professor and she is residing separately with her husband and children. The defacto complainant being a Special Sub Inspector of Police,



working in the same district used her influence and foisted a false case against the petitioner. She is an innocent and nothing to do with this case. He is no way connected with the alleged offence. She undertakes to cooperate with the respondent for enquiry and she is ready and willing to abide by any condition that may be imposed on her by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

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

7.Accordingly, the petitioner is directed to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate,**



Additional Mahila Court, Coimbatore, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, of whom, one surety should be a blood surety, each for a like sum to the satisfaction of the respondent/police or the police officer, who intends to arrest the petitioner, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

*(b) the petitioner shall deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** to the credit of Crime No.71 of 2023, before the Judicial Magistrate concerned, within a period of two weeks from the date on which the order copy made ready;*

(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



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*law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;*

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

18.04.2024

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