



Crl.O.P.No.29421 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest pursuant to the Non-Bailable warrant issued on 08.01.2018 in C.C.No.9777 of 2017 on the file of CCB/CBCID Metropolitan Magistrate, Egmore, Chennai, for the offences punishable under Sections 405, 406, 409, 415, 417, 418, 420, 468, 471 r/w. Section 120-B of IPC.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. She would submit that the petitioner was not aware that she was an accused in Crime No.85 of 2023 on the file of the respondent police. The respondent has completed the investigation, and filed the final report before the CCB/CBCID Metropolitan Magistrate, Egmore, Chennai and the case now pending in C.C.No.9777 of 2017, the petitioner has shown as absconding accused. She would submit that the Trial Court without issuing summons, has straight away issued Non-Bailable warrant against the petitioner. She would submit that petitioner is aged about 77-years. She would further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.



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3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, would submit that Non-Bailable warrant is pending, and the case is posted in CC.No.9777 2017, before the CCB/CBCID Metropolitan Magistrate, Egmore, Chennai. He would submit that NBW is issued in the year 2018, the petitioner was not arrested during investigation and absconding charge sheet has been filed.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered 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 **CCB/CBCID Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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



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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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Trial Court on all working days at 10.30 a.m., for a period of one week and thereafter, on the dates as fixed by the Trial Court;

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

25.11.2024

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