



CRL OP(MD). No.8052 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/05/2024

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

CRL OP(MD). No.8052 of 2024

Selvanayaki

... Petitioner/ Accused

Vs

The Inspector of Police,
Vangal Police Station,
Karur District
Crime No.Not Known of 2024.

... Respondent/Complainant

For Petitioner : Mr.P Subbiah,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.Not known of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Section 379(NP) of IPC in Crime No. Not Known of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is the wife of the defacto complainant, had committed theft of jewels from their house and went away to her maternal home. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and a false case has been foisted against her. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) strongly opposed for grant of anticipatory bail on the ground that the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the facts that it is a family dispute between the husband and wife and the investigation is pending, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:



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6. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.II, Karur, 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(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]; and;

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

sd/-
29/05/2024

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/06/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.II
KARUR.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE

VANGAL POLICE STATION, KARUR DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.SUBBIAH, Advocate (SR-5914[I] dated 29/05/2024)

ORDER

IN

CRL OP(MD) No.8052 of 2024

Date :29/05/2024

SS/GS/SAR- /03/06/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023