



CRL OP(MD)No.11063 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 24.07.2024

PRESENT

The Hon`ble **MR.JUSTICE AA.NAKKIRAN**

CRL OP(MD)No.11063 of 2024

K.Lakshmi

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Devadanapatti Police Station,
Theni District.
(Crime No.427 of 2024)

... Respondent/Complainant

For Petitioner : M/s.K.M.Priscilla Jancy, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.427 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 IPC in Cr.No.427 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the accused persons received a sum of Rs.12,00,000/- from the defacto complainant in order to leasing out their coconut grove for a period of three years. Thereafter, they neither executed the lease deed and nor repaid the amount. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Further, he submits that this Court already granted anticipatory bail to the co-accused. Accordingly, he prays to grant anticipatory bail to the co-accused.

4.The learned Government Advocate(Crl.side) for the respondent submits that the investigation is yet to be completed.

5.Considering the facts and circumstances of this case and also considering that the this Court already granted anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is



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ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 on every Saturday at 10.30 am., until further orders;

(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;



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(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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/07/2024

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/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

1 THE JUDICIAL MAGISTRATE
THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.



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3 THE INSPECTOR OF POLICE
DEVADANAPATTI POLICE STATION,
THENI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.11063 of 2024
Date :24/07/2024

SS/VR/SAR- /05/08/2024/5P/5C

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