



CRL OP(MD). No.13325 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Roopaga Varthini

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Central Crime Branch
Madurai City.
In Crime No.54/2014.

... Respondent/ Complainant

For Petitioner : M/s.R.Ramanujam,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

To enlarge the petitioner on bail in the event of her arrest or surrender in a Non Bailable Warrant issued on 18.06.2024 against the petitioner in CC No.51/2018 pending on the file of Judicial Magistrate No.I, Madurai in connection with Crime No.54 of 2014 on the file of the respondent police.



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ORDER : The Court made the following order :-
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The petitioner/ A2, who is facing a case for the offence under Sections 406 & 420 of IPC, in CC No.51/2018 pending on the file of Judicial Magistrate No.I, Madurai, in Crime No.54 of 2014 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in CC No.51/2018 pending on the file of Judicial Magistrate No.I, Madurai. Therefore, Non-Bailable Warrant came to be issued on 18.06.2024. Hence, the petition.

3.The learned counsel appearing for the petitioner would submit that already the petitioner was granted anticipatory bail in CrI.OP(MD)No.11775 of 2014 on 27.06.2014. Thereafter, she got married and settled in Kovilpatti, Thoothukudi District. Now, only she came to know that based on requisition filed along with VAO certificate by the respondent police, Non Bailable Warrant was issued against her on 18.06.2024. Hence, this petition.

4.Considering the fact that the petitioner was already granted anticipatory bail and also considering the fact that when the charge sheet was filled by placing VAO certificate that she is not residing at the said place and also considering the



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petitioner's argument that she got married with one Subramanian and is residing in Kovilpatti, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Madurai, 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 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 trial Court for each and every hearing without fail;

(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/-

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

DSS

TO

1. The Judicial Magistrate No.1, Madurai..
2. Do-Through The Chief Judicial Magistrate,
Madurai District.



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3. The Inspector of Police,
Central Crime Branch
Madurai City.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M/S.GANDHI ASSOCIATES, Advocate (SR-9980[I] dated
14/08/2024)

ORDER

IN

CRL OP(MD) No.13325 of 2024

Date : 14/08/2024

RD/SKN (22/08/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.