



CRL OP(MD). No.19421 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19421 of 2024

Anitha Priya

... Petitioner/ Accused No.7

Vs

The State of Tamilnadu,
Rep. by the Sub Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar.
Crime No. 136/2021.

... Respondent/Complainant

For Petitioner : M/s. Kumaran.K, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 136 of 2021 on the file of the Respondent Police.



CRL OP(MD). No.19421 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 457, 458 and 392 of IPC in Crime No.136 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons entered into the house of the defacto complainant and tied up the defacto complainant and took away 77 sovereigns of gold jewelry and 4 Lakh cash. There are totally seven accused persons in this case and the petitioner has been arrayed as A7.

3.The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that the petitioner is the wife of A1. The petitioner is having 15 previous cases pending against her. Therefore, he vehemently opposed the grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the petitioner submitted that the false cases are foisted against the petitioner and in fact, the petitioner suffered incarceration for nearly 112 days in different cases and ultimately, all the bail petitions came up for hearing before this Court in CrI.O.P(MD)No.16409, etc of 2024.

The petitioner was enlarged on bail by order dated 03.10.2024, considering the fact



that she was five months pregnant.

WEB COPY

5. Taking into consideration the facts and circumstances of the case and only on the ground that the petitioner is now 6 months pregnant and she has already suffered incarceration for nearly 112 days in other cases, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Rajapalayam, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall report before the respondent police every Monday and Friday at 10.30 am for a period of six weeks and thereafter, as and when required for



CRL OP(MD). No.19421 of 2024

WEB COPY

interrogation. On these two days, the petitioner need not appear before the Othanchatram Police Station, where she is complying with the condition in an other case.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/11/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



CRL OP(MD). No.19421 of 2024

W/TO COPY

1. THE JUDICIAL MAGISTRATE, RAJAPALAYAM,
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR
 3. THE SUB INSPECTOR OF POLICE,
RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.KUMARAN, Advocate (SR-14054[I] dated 15/11/2024)

ORDER
IN
CRL OP(MD) No.19421 of 2024
Date :15/11/2024

RK/ (25/11/2024) 5P / 6C

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