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Crl.O.P.No.1684 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1684 of 2025

1. Revathi

2. Manikandan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Mallur Police Station, Salem District,
(Crime No.290 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of their arrest by the respondent police concerned in Crime No.290 of 2024, on the file of the respondent police.

For Petitioner : Mr.R.P.Ruban Chakra Varthy
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



ORDER

Apprehending arrest in connection with Crime.No.290 of 2024 registered for the offences punishable under Sections 381 & 408 of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are an innocent and they have been falsely implicated in this case. The defacto complainant compelled them, they transferred two properties in favour of the defacto complainant and taken the petitioners' vehicle and also jewels belonging to the petitioners, and also abused filthily. Hence, the petitioners gave a complaint against the defacto complainant for the alleged offences under Section 294 (b) 323 and 506 (i) Indian Penal Code 1860 and 3 (1) (r) & 3 (1) (s) of SC /ST (Prevention of Atrocities) Ac 1989. He further submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.



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3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the first petitioner was working as cashier in Defacto Complainant's Meat stall namely 'Konar Poultry Farms and product', with help of her husband, the second petitioner, she fabricated bills and receipts for a sum of Rs.89,76,706/-. Hence, the complaint was lodged by the defacto complainant. He further submits that the petitioners have no previous cases against them.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.VI, Salem on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the



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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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police at 10.30 a.m for a period of two weeks and thereafter on every Saturday at 10.30 a.m until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

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A.D.JAGADISH CHANDIRA, J.

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