



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Third day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP (MD) No.1441 of 2015

WEB COPY

P.POONGODI

... PETITIONER/ACCUSED No.2

Vs

STATE.REP.BY
THE SUB-INSPECTOR OF POLICE
TOWN WEST POLICE STATION,
DINDIGUL DISTRICT.
CR. NO.429/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B. VINOTH BALAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 15.12.2014 for the offences punishable under Sections 417, 498, 366 and 379(NP) of Indian Penal Code, in Crime No.429 of 2014 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner's son, by name Irulandi (A-1) was in love with the daughter of the *defacto* complainant, by name Jeeva, who is aged about 20 years. It is alleged that the girl was already married, despite which, the petitioner's son had eloped with her. In this regard, a Habeas Corpus Petition is also pending before this Court. This petitioner was arrested by the police on 15.12.2014 and she is in incarceration since then.

3. In a case of this nature where the petitioner's son had eloped with another girl, over which, this petitioner may not have any control and the interest of justice will be served, if bail is granted to the petitioner.

4. Accordingly, the petitioner is ordered to be released on bail on her executing 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



learned Judicial Magistrate No.I, Dindigul and on further condition that:
[a] the petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

sd/-
03/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
- 3 THE OFFICER INCHARGE,
SUB JAIL,NILAKKOTTAI.
- 4 THE SUB-INSPECTOR OF POLICE
TOWN WEST POLICE STATION, DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B. VINOTH BALAN Advocate SR.No.4753

ORDER
IN
CRL OP(MD) No.1441 of 2015
Date :03/02/2015

PA/03.02.15/2P/7C