

CRL.O.P.No.14790 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested and remanded to judicial custody on 27.06.2016 for the alleged offence punishable under Section 147, 148, 120(B), 302 IPC in Crime No.155 of 2016 on the file of the respondent police, **seeks bail.**

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3.The case of the prosecution is that the petitioner had given shelter and food to the accused persons who had committed the murder of one John.

4.The learned counsel for the petitioner submitted that the petitioner is the wife of the first accused and she has been added as an accused in this case. He further submitted that the petitioner has not committed any such offence and a false case has been foisted against her.

5.Learned Public Prosecutor (Pondicherry) submitted that there are totally 9 accused and 8 accused were arrested in this case. He further submitted that the petitioner had given food and shelter to the accused persons who had committed the murder of the deceased.

6.Considering the facts and circumstances of the case and taking note of the fact that she has no nexus with the murder and only have given food and shelter to the accused persons and also considering the period of incarceration, **the petitioner is ordered to be released on bail subject to the following conditions:**

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(i)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 learned Judicial Magistrate-III, Puducherry;

(ii)the petitioner is directed to appear before the respondent police daily at 10.30 a.m. and 5.00 p.m., until further orders;

(iii)the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv)the petitioner shall not abscond either during investigation or trial;

(v)on breach of any of the aforesaid conditions, the 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 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]**.

21.07.2016

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