



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

Friday, the Eleventh day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN
CRL OP(MD) No.21485 of 2016

WEB COPY

NELLAVATHY

... PETITIONER/3rd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PERAVOORANI POLICE STATION,
THANJAVUR DISTRICT.
CR. NO.257/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.ANANDAN Advocate
For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A3, who was arrested on 05.10.2016 for the offences punishable under Sections 302 and 201 IPC in Crime No.257 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the basis of the complaint given by Village Administrative Office, stating that an unknown female dead body was lying under the Ananthavalli Vaikaal Bridge, the present case has been registered and during the course of investigation, it was found that the deceased is the sister of this petitioner and A1, who is the husband of this petitioner attacked the deceased and made her dash against an electric lamppost, which resulted in the death of the deceased and A1 disposed of the dead body with the help of A2, who is the friend of A1. It is alleged that even though the petitioner was aware of the said incident, she has not disclosed it to anyone.

3. The learned counsel for the petitioner would submit that it was the petitioner, who only informed to the Police about the occurrence and later on, she has been falsely implicated in this case.

4. Heard the learned Government Advocate (Crl.Side) on the above submission, who would submit that the investigation of the case is in progress.

5. It is seen from the confession statement that the petitioner shouted at A1 for committing the offence of murder of her sister and informed the occurrence to the Police and therefore, she does not appear to have played a role in the offence. Thus, considering the facts and circumstances of the case and also taking into account the



fact that the petitioner has been undergoing incarceration since 05.10.2016, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(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, Pattukkottai;

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

(iii) the petitioner shall not leave Tamil Nadu without prior permission of the Trial Court;

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

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

(vi) 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].

sd/-

11/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUPERINTENDENT, WOMEN PRISON, TRICHY.

5 THE INSPECTOR OF POLICE, PERAVOORANI POLICE STATION,
THANJAVUR DISTRICT.

+1. CC to M/S.B.ANANDAN Advocate SR.No.68012.

ORDER IN

CRL OP(MD) No.21485 of 2016

Date : 11/11/2016