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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.5882 of 2017

R.DEEPIKA ... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT
CRIME NO. 142/2017 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.GOPALAKRISHNAN 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 25.03.2017, for the offence punishable under Section 302 I.P.C., which was subsequently altered to Sections 302 and 120(b) I.P.C., in Crime No.142 of 2017, on the file of the respondent Police, seeks bail.

2. Heard Mr.B.Gopalakrishnan, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The case of the prosecution is that the petitioner along with others murdered one Rajappan.

4. The learned counsel appearing for the petitioner submitted that the petitioner is a physically handicapped person and disability level is more than 90% and she is suffering various illness and the Doctor advised her to undergo the physiotherapy treatment.

5. The learned Government Advocate appearing for the State submitted that investigation is yet to be completed and all the accused have been arrested and remanded to judicial custody.

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6. Taking into consideration the facts and circumstances of this case, considering the gravity of offence said to have been committed

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by the petitioner and also the period of incarceration, this Court is of the view that this is a fit case to grant bail to the petitioner. Accordingly, she 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 District Munsif-cum-Judicial Magistrate, Orathanadu.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) 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/-
17/05/2017

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

KRK

TO

1 THE DISTRICT MUNSIF-CUM
JUDICIAL MAGISTRATE, ORATHANADU

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE, ORATHANADU POLICE STATION,
THANJAVUR DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

5 THE SUPERINTENDENT
CENTRAL WOMEN PRISON, TRICHY

+1. CC to M/S.B.GOPALAKRISHNAN Advocate SR.No.22029

GJM/PN/SAR-3-17.5.17-2P-7C

ORDER
IN
CRL OP(MD) No.5882 of 2017
Date :17/05/2017

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