



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

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.12215 of 2018

PANDISELVI

... PETITIONER / ACCUSED No.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
M.REDDYPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
Crime No.58 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.JOTHIBASU Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

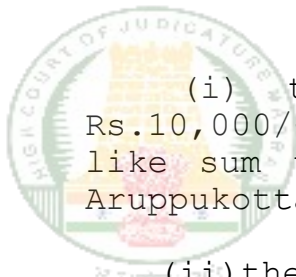
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 05.06.2018 for the offences punishable under Sections 294(b), 302 I.P.C @ Section 120 (b), 294(b), 302 I.P.C in Crime No.58 of 2018 on the file of the respondent police. She seeks bail.

2.Heard the learned counsel for the petitioner.

3.The learned Government Advocate(Crl.Side) for the respondent opposed the grant of bail by pointing out the bad antecedents of the petitioner.

4.This Court went through the contents of the First Information Report. It is seen that the primary allegations are only against the first accused, namely, the husband of the petitioner herein. The petitioner is a mother of three young children. Since both the parents are in jail, the children are in the care of relatives. Taking note of the fact that except the allegation of instigation, no other act is attributed to the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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, Aruppukottai.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not abscond.

(iv) 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/-
19/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI.
 2. THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTOOR.
 3. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.
 4. THE INSPECTOR OF POLICE
M.REDDYPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to Mr.M.JOTHIBASU Advocate SR.No.

ORDER
IN
CRL OP(MD) No.12215 of 2018
Date :19/07/2018