



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

Date : 18/07/2019

PRESENT

The Hon'ble Mr. Justice P. RAJAMANICKAM

CRL OP (MD) . No.9891 of 2019

Veeramani

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
All Women Police Station, Thoothukudi,
Thoothududi District.
Crime No. 19 of 2018.

... Respondent/Complainant

For Petitioner : M/s.S.Palani Velayutham, Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 19 of 2018 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused No.2 seeking bail for the alleged offence punishable under Sections 506 (i), 354(A) (1), 3, 120(b), 34 and 294(b) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act (TNPHW) Act and Section II (V) r/w Section 12 of POCSO Act, 2012, in crime No.19 of 2018.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the main allegation is only against A1. He further submitted that the petitioner is an innocent person and she has been falsely implicated in the above case. He further submitted that the petitioner was arrested by the respondent police on 21.06.2019 and from that day onwards, she is in custody and hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the
respondent police has submitted that the petitioner is the wife of



A1 and she helped A1 for committing illegal activities. He further submitted that the investigation is still pending and hence, he strongly opposed this petition.

5. The main allegations are made against A1. Insofar as this petitioner is concerned, she is wife of A1. The only allegation made against the petitioner herein is that for all the illegal activities committed by A1, the petitioner herein is only helping. Except the said allegation, no other allegation has been made against the petitioner.

6. Taking into consideration the aforesaid facts and also the fact that the petitioner is in custody from 21.06.2019 and also the fact that no previous case is pending against the petitioner and also the fact that no bad antecedent is reported against the petitioner, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a] the petitioner is ordered to be released on bail on his 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 Magalir Neethimandram, Fast Track Mahila Court, Thoothukudi, Thoothukudi District.

[b] the petitioner should reside at Madurai and she should appear before the Thallakulam Police Station, Madurai District daily at 10.30 a.m., for a period of three weeks and thereafter she should appear before the respondent police as and when required for interrogation.

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

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

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

18/07/2019

/ TRUE COPY /



TO

1. THE JUDGE

MAGALIR NEETHIMANDRAM,
FAST TRACK MAHILA COURT, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

2. THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,

THALLAKULAM POLICE STATION,
MADURAI DISTRICT.

4. THE OFFICER INCHARGE

KOKKARAKULAM WOMEN PRISON,
TIRUNELVELI DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.PALANI VELAYUTHAM Advocate SR.No.11936

ORDER

IN

CRL OP(MD) No.9891 of 2019

Date :18/07/2019

vsg

TK/VR/SAR.3/18.07.2019/3P/7C