



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.7169 of 2020

Rekha F/A, 39 years, (single accused)
Wife of Late. Thanigaivelan,
No.1259, V-Block,
V.O.C. Nagar, New Washermanpet,
Chennai - 600 081.

... Petitioner

Vs.

State by Inspector of Police,
Law and Order,
H-5, New Washermanpet Police Station,
Chennai - 600 081.
CRIME NO.80/2020

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Crime No.80 of 2020 on the file of the respondent police.

For Petitioner : Mr.V.G.Anbarasu

For Respondent : Mr.K.Prabakar

Additional Public Prosecutor

O R D E R

The petitioner who was arrested and remanded to judicial custody on 28.02.2020 for the alleged offences under Sections 201 and 302 IPC, in Crime No.80 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed murder of her husband. Hence the complaint was registered.

3. The learned counsel appearing for the petitioner would submit that that the petitioner had committed murder of her husband. The petitioner and the deceased were married about 22 years back and the deceased became a alcohol addict. However, on 26.02.2020, due to family problem, he had committed suicide by hanging himself.



However, the prosecution has projected as the petitioner committed the murder of her husband. He further submit that the investigation has been completed and this Court had already granted interim bail to the petitioner on 30.03.2020.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner had committed murder of her husband. He would further submit that the investigation is still pending. Hence, he vehemently opposed for grant of bail to the petitioner.

5. In view of the above facts and circumstances, the interim bail already granted to the petitioner by an order dated 30.03.2020, is made absolute on following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum to the satisfaction of the XV M.M. Court, George Town Chennai, on or before 02.07.2020, failing which the bail granted by this Court shall stand dismissed automatically and on further conditions that:-

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

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

[d] the petitioner shall not abscond 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/-

02/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)

<https://hcservices.ecourts.gov.in/hcservices/>

High Court, Madras - 600 104.



TO

1 THE METROPOLITAN MAGISTRATE,
COURT NO.XV, GEORGE TOWN, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE,EGMORE[FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 THE ADDITIONAL PUBLIC
PROSECUTOR, MADRAS HIGH COURT, CHENNAI.

5 THE INSPECTOR OF POLICE LAW AND ORDER,
H-5, NEW WASHHERMANPET POLICE STATION,
CHENNAI-600 081.

CC to Mr.V.G.Anbarasu Advocate on payment of necessary charges

CRL OP.7169/2020

Date :02/06/2020

rd 04/06/2020