



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.982 of 2020

Maheswari

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Thanjavur TMCH Police Station,
Thanjavur District ,
Crime No.288 of 2019.

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran, Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.288 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 27.11.2019, for the offences under Section 449, 302 and 506(ii) of I.P.C., in Crime No.288 of 2019, on the file of the respondent police. Hence, she seeks bail.

3. The learned Government Advocate (Crl. Side) strongly opposed grant of bail by pointing out that this is a case of double murder and that it was the petitioner who by calling out the victims made them to come out of the house.

4. The principal accused in this case are Prakash and Suriya. Both of them have been detained under the Goondas Act.

5. The only role played by the petitioner is that she had knocked the door of the house in which the victims were residing. The petitioner is a lady and she does not have any bad antecedents.



Her continued incarceration is not going to advance the cause of investigation. Hence, I am 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 Judicial Magistrate No.II, Thanjavur.

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

(iii) 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/-
23/01/2020

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, TRICHY.
- 4 THE INSPECTOR OF POLICE
THANJAVUR TMCH POLICE STATION, THANJAVUR DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-1218 dated 23/01/2020)

ORDER IN
CRL OP(MD) No.982 of 2020
Date :23/01/2020

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