



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7207 of 2020

Kaladevi

... Petitioner/1st Accused

Vs

The State Rep. by
The Inspector of Police,
Pc Patty Police Station,
Theni District.
Crime No. 299 of 2012.

... Respondent

For Petitioner : Mr.I.Robert Chandrakumar, Advocate.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

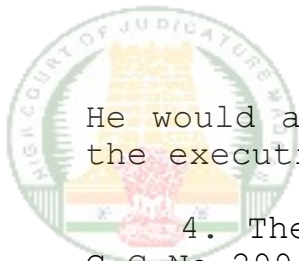
For Bail in Crime No.299 of 2012 on the file of the respondent police.

ORDER : The Court made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence punishable under Sections 182, 192, 209, 211, 327, 330,323,342, 294(b) and 506(i) of IPC in C.C.No.299 of 2012.

2. The petitioner is facing trail in C.C.No.299 of 2012 on the file of the learned Judicial Magistrate, Theni. The petitioner was arrested on execution of Non Bailable Warrant on 11.06.2020 in a private complaint.

3.The learned counsel for the petitioner would submit that subsequent to the private complaint a police case is also registered against the petitioner and she was also granted bail on 11.06.2020.



He would also submit that the petitioner is in custody pursuant to the execution of Non Bailable Warrant.

4. The learned Government Advocate(Crl.Side) would submit that C.C.No.299 of 2012 is pending for a long time for appearance of this petitioner and the petitioner was secured with much difficulty and if the petitioner is released on bail, there will not be any progress in the trial. Hence he opposed to grant bail to the petitioner.

5. Taking into consideration all the allegations made against the petitioner and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioner by imposing conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the learned Judicial Magistrate, Theni on all hearing dates without fail.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the petitioner/ accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
14/07/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, THENI.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
MADURAI.
4. THE INSPECTOR OF POLICE,
PC PATTY POLICE STATION,
THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7207 of 2020
Date :14/07/2020

AAV
TE/VR/SAR-II : 14/07/2020 : 3P/6C