



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.10614 of 2020

JEYANTHI

... PETITIONER/ACCUSED NO.25

VS

STATE REP.BY
THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
IN CRIME NO. 21 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.K.Kumaravel,
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. 21 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A25 herein was arrested on 22.01.2020 for the alleged offences under Sections 147, 148 and 302 of I.P.C., in Crime No.21 of 2020, on the file of the respondent Police, seek bail.

2. There are totally 28 accused in this case and the petitioner herein is arrayed as A25. The case of the prosecution is that the deceased in this case, is the husband of the defacto complainant. Earlier, there was a dispute between the petitioner's family and deceased's family, the deceased said to have murdered one Veerasamy and his son Muthu. In retaliation to the same, on 22.01.2020, at about 06.30 a.m, A1, who is the son-in-law of the deceased/Veerasamy, and other accused said to have engaged hirelings and brutally attacked the deceased with deadly weapons and caused injuries to the deceased. In pursuance of the present complaint.



3. The learned counsel for the petitioner would submit that the name of the petitioner does not found place in the First Information Report. Since she is a relative of A1 she has been falsely implicated in this case. He would also submit that A3 and A5 in this case was released on bail by this Court. Earlier she was detained under Act 14, 1982 and division Bench of this Court set aside the detention order on 23.09.2020. He would also submit that the petitioner is in jail for more than eight months, hence she may be granted bail.

4.The learned Government Advocate(Crl.Side) would submit that it is a retaliation murder. The petitioner and other accused persons have engaged hirelings and brutally attacked the deceased and caused his death. He would further submit that the investigation was over and the final report has been filed and the matter is pending for committal. He would also submit that A3 and A5 in this case was released on bail by this Court.

5.It is seen that A1's father-in-law has been murdered by the deceased's family. In retaliation to the same, the present occurrence said to have taken place. It is also seen that the investigation was over and final report has been filed.

6. Taking into consideration all the facts and circumstances of the case and also considering the period of incarceration and also the fact that A3 and A5 in this case were granted bail by this Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.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, Keeranur, Pudukottai District.

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 respondent police as and when required for interrogation.

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 petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/09/2020

/ 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,
KEERANUR, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.
- 3 THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.KUMARAVEL, Advocate (SR-6718[I] dated 30/09/2020)

ORDER
IN
CRL OP(MD) No.10614 of 2020
Date :30/09/2020

AAV
JM/PN/SAR I/30.09.2020/3P/7C

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