

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.6727 of 2021

1.Sankar
2.Sarmila
3.Vasanth
4.Santhi

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Thirupathur Police Station,
Thirupathur District.
(Crime No.27 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.27 of 2021, on the file of respondent Police.

For Petitioners : Mr.R.Sankarasubbu
For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioners who were arrested for the offence under Sections

120(b), 147, 148, 341 and 302 of I.P.C. in Cr.No.27 of 2021 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that the petitioners along with the other accused are involved in the murder of the defacto complainant's husband. The petitioners are arrayed as A1, A10, A11 and A12 in the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and would further submit that the petitioners 2, 3 and 4 are ladies and there is no specific overtact against them.

4.The learned Additional Public Prosecutor submitted that the first petitioner has been detained under Act 14 of 1982. She further submitted that the petitioners 2, 3 and 4, though ladies, are very much available in the scene of occurrence, however, fairly conceded that there is no previous case pending against the petitioners 2, 3 and 4.

5.Since the first petitioner has already been detained under Act

14 of 1982, this criminal original petition is dismissed as against the first petitioner.

6.Considering the fact that there is no previous case pending against the petitioners 2, 3 and 4, I am inclined to grant bail to the petitioners 2, 3 and 4.

7.Accordingly, the petitioners 2, 3 and 4 are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thirupathur, and on further condition that:

(a)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 petitioners 2, 3 and 4 shall report before the All Women Police Station, Thirupathur, daily at 10.30 a.m. until further orders;

(c)the petitioners 2, 3 and 4 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 2, 3 and 4 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 petitioners 2, 3 and 4 in accordance with law as if the conditions have been imposed and the petitioners 2, 3 and 4 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

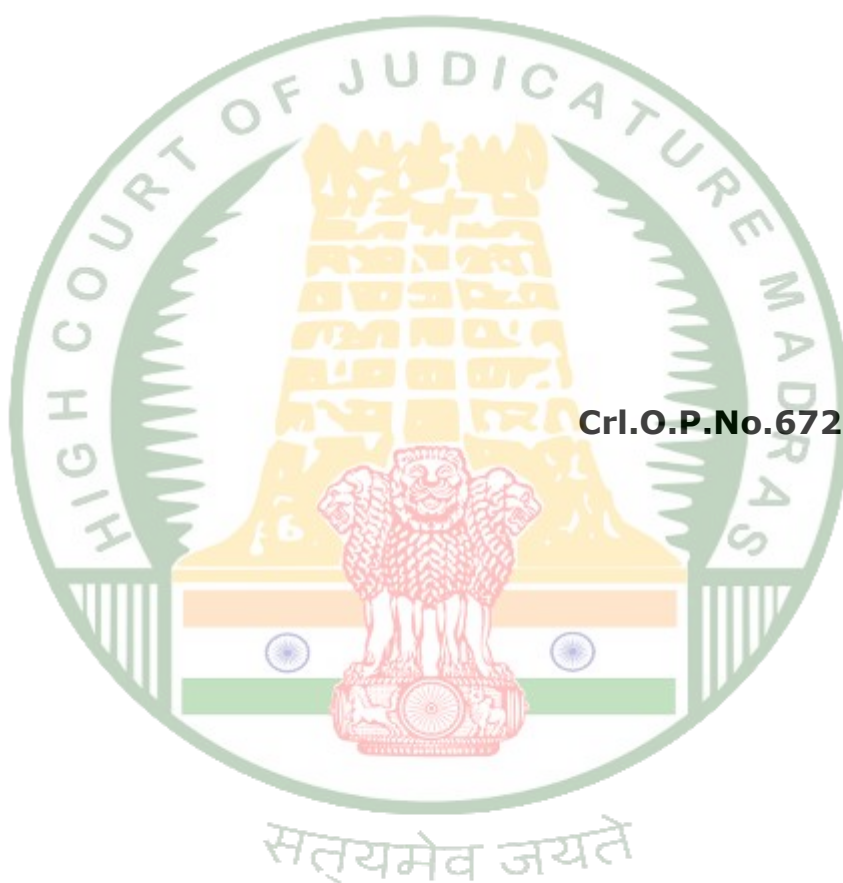
1.The Inspector of Police,
Thirupathur Police Station,
Thirupathur District.
(Crime No.27 of 2021)

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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M.DHANDAPANI,J.
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