

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.7285 of 2020

Ilayarani

... Petitioner

Vs.

State Rep. by
The Sub-Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai Dt.
(Crime No.27/2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail pending investigation in Cr.No.27 of 2020, on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj

For Respondent : Mr.M.Prabhavathi,
Addl. Public Prosecutor

ORDER

(The case has been heard through video conference)

The Petitioner, who was arrested and remanded to judicial custody on 21.02.2020 for the offence punishable under Sections 294 (b), 341, 323, 324, 354(B), 355, 506(1), 302 of IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.27 of 2020, seeks bail.

2. Totally, there are four accused and the petitioner is arrayed as A4. The allegation is that there is a quarrel between the parties, in which all the accused said to have attacked the defacto complainant and caused death. Hence, the criminal case has been registered against the petitioner. Earlier, the petitioner was arrested on 21.02.2020 and this Court, by an order dated 21.04.2020 has granted interim bail to the petitioner and now, it is listed today seeking for regular bail.

3. Today, when the matter is taken up for hearing, the

is complying the condition regularly. Investigation in this case is almost completed.

4.The learned Additional Public Prosecutor would submit that there are totally 4 accused and other accused A1 and A3 were arrested and released on bail. She would also submit that the investigation is almost completed.

5. Considering the facts and circumstances of the case, interim bail already granted to the petitioner by this Court on 21.04.2020, is made absolute subject to the following conditions:

[a] Accordingly, the petitioners are directed to surrender on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Tiruvannamalai, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police as and when required for interrogation;

[d] the petitioner shall not commit any offences of similar nature;

[e] the petitioner shall not abscond either during investigation or trial;

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[g] on breach of any of the aforesaid conditions, the learned Judicial 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];

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-
18/02/2021

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

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVANNAMALAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE SUB-INSPECTOR OF POLICE
VETTAVALAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, VELLORE.

+1 CC to M/S. E.SATHIYARAJ Advocate on payment of necessary charges SR NO. 1868

WEB COPY

CRL OP.7285/2020

Date :18/02/2021

MN-19/02/2021