



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.20698 of 2021

1.Saroja
2.Pasupathy

... Petitioners

Vs.

The State,
Rep. by the Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
(Crime No.606 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in respect of Crime No.606 of 2021 on the file of Kadaladi Police Station, Thiruvannamalai District, pending investigation.

For Petitioners : Mr.S.B.Viswanathan

For Respondent : Mr.A.Gopinath
Government Advocate (Cr1. Side)

O R D E R

The petitioners who were remanded to judicial custody on 11.09.2021 for the offence under Section 174 of Cr.P.C. altered to Section 302 of I.P.C. in Crime No.606 of 2021 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that the petitioners are alleged to have committed murder of the deceased.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that the deceased is an alcohol addict and would further submit that the first petitioner is the wife



of the deceased and the second petitioner is the first petitioner's sister's son and that there is no intention to commit murder of the deceased.

4.The learned Government Advocate (Criminal Side) submitted that there is no previous case as against the petitioners.

5.Considering the period of incarceration undergone by the petitioners and the fact that there is no previous case as against the petitioners, I am inclined to grant bail to the petitioners.

6.Accordingly, the petitioners 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 District Munsif Cum Judicial Magistrate's Court, Kalasapakkam 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 shall report before the respondent police, daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 in accordance with law as if the conditions have been imposed and the petitioners 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.

-sd/-

02/11/2021

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.



1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KALASAPAKKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
WOMEN PRISON, VELLORE.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
THIRUVANNAMALAI DISTRICT.

+1 CC to M/S.S.B.VISWANATHAN Advocate on payment of necessary
charges SR.NO.12321

CRL OP.20698/2021

Date :02/11/2021

RW 02/11/2021