



CrI.O.P.No.22120 of 2021

T.V.THAMILSELVI,J.

The matter is listed today under the caption “For Being Mentioned” at the instance of the learned counsel for the petitioner.

2. Earlier, this Court had granted bail to the petitioner in CrI.O.P.No.22120 of 2021 dated 24.11.2021, in the order copy the Crime Number is mentioned as Cr.No.399 of 2021, but the correct one is Cr.No.339 of 2021. Therefore the learned counsel for the petitioner made request to make necessary corrections in the said order and for reissue of the order copy.

3. All other conditions imposed on the petitioner shall remain intact except for the above said correction.

4. Registry is directed to carry out the necessary correction in the order dated 24.11.2021 and issue a fresh copy of the order to the learned counsel for the parties.

26.11.2021

drl

Note. Issue order copy on 26.11.2021.



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T.V.THAMILSELVI,J.

drl

Crl.O.P.No.22120 of 2021

26.11.2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.22120 of 2021

1. Ellammal, aged 38 years,
W/o.Murugan,

2. Sriganth, aged 19 years,
S/o.Murugan,

3. Prabhu, aged 23 years,
S/o.Jayapal,

4. Vijay, aged 21 years,
S/o.Murugesan,

5. Ganapathi, aged 31 years,
S/o.Chinnapaiyan

...Petitioners

Vs.

The State rep by
The Inspector of Police,
Vadavanakkambadi Police Station,
Vadavanakkambadi,
Tiruvannamalai District.

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in Crime No.399 of 2021 on the file of the respondent police.



For Petitioners : Mr.B.Jawahar

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners who were arrested on 30.08.2021 and remanded to judicial custody for the offences under **Sections 147, 294(b), 306 of IPC**, in Crime No.399 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners had harassed the sister of the defacto complainant and the same was questioned by the another sister, for which, the petitioners had abused the deceased in filthy language, due to which, she had committed suicide by set fire on her. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have been in jail from 30.08.2021. Hence he prays for grant of bail to the petitioners.



4. The learned Government Advocate (CrI.Side) appearing for the respondent submitted that the investigation is almost completed and there is no previous case pending against the petitioners. However, he vehemently opposed for grant of bail to the petitioners.

5. Considering the fact that the investigation is almost completed and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Vandavasi**, and on further conditions 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 on every Saturday at 10.30 a.m., until further orders.



(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.

24.11.2021

msrm



To

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1. The learned Judicial Magistrate, Vandavasi.
2. The Inspector of Police,
Vadavanakkambadi Police Station,
Vadavanakkambadi,
Tiruvannamalai District.
3. The Superintendent
Central Prison for women, Vellore.
4. The Superintendent,
Central Prison, Vellore.
5. The Public Prosecutor,
High Court, Madras



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T.V.THAMILSELVI,J.

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CrI.O.P.No.22120 of 2021

24.11.2021