



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2021

WEB COPY

CORAM:

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

Cr1.O.P.No.22490 of 2021

Rani

...Petitioner

Vs.

The State Rep. by
The Inspector of Police
Mannargudi Town Police Station
Thiruvarur District
(Crime No.1538 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.1538 of 2021 dated 22.10.2021 on the file of the respondent police

For Petitioner : Mr.A.Mohamed Ismail

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

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 26.10.2021 for the offences under Sections 452 and 394 of IPC, in Crime No.1538 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.10.2021 at about 7 p.m., a male person assaulted the defacto complainant with bill hook and snatched 3½ sovereigns of chain from her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence. Even in the FIR there is no mentioning about the petitioner and she has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for more than 40 days from 26.10.2021. Hence, he would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would raise objection stating that the petitioner is also involved in this case and she has been arrayed as A2. A1 has also been arrested and still in judicial custody but admits that the property has been recovered and the investigation is almost completed.

5. Considering the fact that the stolen property has been recovered and the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her executing a 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-I, Mannargudi, Thiruvarur District, 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 petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

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

(d) the petitioner 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 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]; and;

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

-sd/-

26/11/2021

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.



TO

1 THE JUDICIAL MAGISTRATE,
NO.1, MANNARGUDI, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MANNARGUDI TOWN POLICE STATION,
THIRUVARUR DISTRICT.

4 THE OFFICER INCHARGE,
WOMEN SUB JAIL, THIRUVARUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. A.MOHAMED ISMAIL Advocate on payment of necessary
charges SR.NO.13506

CRL OP.22490/2021

Date :26/11/2021

CSK 26/11/2021