



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM:

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

Crl.O.P.No.24316 of 2021

J.Lilly

.. Petitioner

Vs.

Inspector of Police
T7 Tank Factory Police Station
Avadi
Greater Chennai-600 154
Crime No.363 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.363 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Balaji

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 20.11.2021 for the offences under Sections 294(b), 307 and 506(ii) of IPC read with Section 4 of TN Prohibition of Woman Harassment Act, in Crime No.363 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A2 was conducting a monthly chit and there was some money dispute between the petitioner and the defacto complainant. Hence, A1 attacked the defacto complainant at the instigation of the petitioner. Hence, the complaint.



3.The learned counsel for the petitioner would submit petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case and that she has been suffering incarceration for 25 days from 20.11.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise objection stating that due to money dispute, A1 attacked the informant at the instigation of the petitioner/A2 but admits that the injured has been discharged from the hospital and that the investigation is almost completed.

5. Considering the facts and circumstances of the case and the injured has been discharged from the hospital and that 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 directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the credit of Crime No.363 of 2021 and on such deposit, 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, Ambattur, Chennai, 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 on every Saturday at 10.30 a.m. until further orders;

(c) the victim is permitted to withdraw the said deposit amount of Rs.25,000/- (Rupees Twenty Five Thousand Only) on proper identification and acknowledgement.

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

(e)the petitioner shall not abscond either during investigation or trial;



(f) 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;

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

-sd/-
14/12/2021

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,
AMBATTUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI.

4 THE INSPECTOR OF POLICE,
T7 TANK FACTORY POLICE STATION,
AVADI, GREATER CHENNAI- 600154.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. M.BALAJI Advocate on payment of necessary charges
SR.NO.14717

CRL OP.24316/2021

Date :14/12/2021

MK:14/12/2021