



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.3823 of 2021

S.Kanagavalli

... Petitioner/12th Accused

Vs

The State rep.by
The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
Crime No.1797 of 2020.

... Respondent/Complainant

For Petitioner : Mr.M.Meenal Pandian,
Advocate.

For Respondent : Mr.N.Dinesh Babu,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

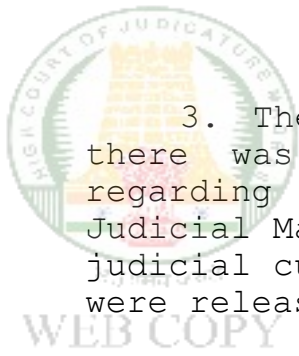
PRAYER :-

For Bail in Crime No.1797 of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 19.02.2021 for the offences punishable under Sections 147, 148, 149, 323,324,307,302 of IPC r/w.114 of IPC in Crime No.1797 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to some dispute in buying cows all the accused persons conspired together and committed the murder of the deceased.



3. The learned counsel for the petitioner would submit that there was a dispute between the petitioner and the deceased regarding buying of cows and she surrendered before the learned Judicial Magistrate No.VI, Madurai on 19.02.2021 and she is still in judicial custody. She would also submit that co-accused in this case were released on bail.

4. The learned Additional Public Prosecutor would submit that investigation in this case is completed and final report has been filed before the concerned Court on 06.11.2020 and the same has been taken cognizance in PRC No.213 of 2020 on the file of the learned Judicial Magistrate No.V, Madurai and the same is pending committal.

5. Taking into consideration the facts and circumstances of the case and also taking note of the fact that co-accused in this case was released on bail and also the fact that investigation in this case is completed and final report has been filed before the concerned Court on 06.11.2020 and the same has been taken cognizance in PRC No.213 of 2020 on the file of the learned Judicial Magistrate No.V, Madurai, this Court is inclined to grant bail to the petitioner.

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, out of which one shall be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai 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 petitioner shall report before the learned Judicial Magistrate No.V, Madurai on every Monday at 10.30 a.m., till the case is committed to the Court of Sessions and thereafter before the Sessions Court on all hearing dates without fail.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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]**.



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

sd/-
07/04/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE No.V, MADURAI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI CITY.
- 4.THE OFFICER INCHARGE
WOMEN JAIL, NILAKOTTAI,
DINDIGUL DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3823 of 2021
Date :07/04/2021

AAV
TK/VR/SAR.1/07.04.2021/3P/6C