



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.4268 of 2022

S.Abinaya

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Villupuram West Police Station,
Villupuram.
(Crime No.24 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.24 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Dhanasekar

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested for the offences punishable under Sections 302 of IPC in Crime No.24 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein is the wife of the deceased. As per the FIR, on 12.01.2022, due to family dispute, the petitioner herein has stabbed her husband with kitchen knife causing his death. Learned counsel for the petitioner states that the petitioner herein is three months pregnant and the dispute between the husband and the wife in connection with the said pregnancy and due to sudden provocation, without any pre-determination, the petitioner has stabbed her husband.

3.Learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is almost completed except the viscera report from the laboratory.



4. Taking note of the fact that the petitioner is pregnant and she has been in jail for nearly 52 days, bail is granted to the petitioner and she is ordered to be released on bail subject to the following conditions;

WEB COPY

(a) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Villupuram.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders.

(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 Judicial 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];

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

-sd/-

09/03/2022

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.I, VILLUPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)



3 THE INSPECTOR OF POLICE,
VILLUPURAM WEST POLICE STATION,
VILLUPURAM

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON,
CUDDALORE

CC to M/S.S.DHANA SEKAR Advocate on payment of necessary
charges Sr.3601

CRL OP.4268/2022

Date :09/03/2022

RVR 10/03/2022