



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.OP.No.13661 of 2022

Ponmani

..Petitioner/A2

Vs.

The State by
Inspector of Police,
Erumapatti Police Station,
Namakkal
crime No.117 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.117 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Sankar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.05.2022 for the offence punishable under Sections 450, 364(A), 397 of IPC in crime No.117 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 01.05.2022, two unknown persons robbed valuables including cash worth about Rs.3,000/- and kidnapped the defacto complainant's daughter. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner/A2 is a relative of the defacto complainant, and A1 is the husband of A2. Since the petitioner incurred loss in the business, they involved in kidnapping and demanded Rs.40,00,000/-. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner and the defacto complainant are close relatives. Due to business loss in the lorry business, the accused persons robbed valuables including cash worth Rs.3,000/-. Admittedly, all are close relatives and the petitioner was arrested and remanded to judicial custody on 02.05.2022. Considering the facts and circumstances of the case and also the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. 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 blood related sureties, each for a like sum to the satisfaction of the learned Principal Sessions Judge, Namakkal 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. for a period of two weeks and thereafter report before the respondent police as and when required for interrogation.

[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.

WEB COPY

-sd/-

14/06/2022

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 PRINCIPAL SESSIONS JUDGE
NAMAKKAL.

2 THE INSPECTOR OF POLICE,
ERUMAPATTI POLICE STATION,
NAMAKKAL.

3 THE SUPERINTENDENT,
CENTRAL JAIL WOMEN, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. S.SANKAR Advocate on payment of necessary charges
SR.No.9005

CRL OP.13661/2022

Date :14/06/2022

CSK 14/06/2022