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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

CORAM

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

Cr1.OP.No.14721 of 2022

Alangolam @ Parameswari

..Petitioner/A5

Vs.

The State rep by its
The Inspector of Police,
Varanjam Police Station,
Kallakurichi District
Crime No.53 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.53 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Saravana Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.05.2022 for the offence punishable under Sections 147, 148, 296(b), 427, 449, 341, 302 of IPC in crime No.53 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 26.05.2020 at about 7.30 p.m., the deceased parked his Tata Ace vehicle bearing registration No.TN16 B 1272 in front of his shop, at that time A1 came in his two wheeler and dashed against the deceased's vehicle and when the same was questioned by the deceased, there was a wordy quarrel arose between them. On the said day at about 8.00 p.m., again the petitioner along with other accused persons trespassed the defacto complainant's home, abused in filthy language and dragged on the deceased. Thereafter, A1 attacked the deceased with knife on his right thigh and A2 to A5 indiscriminately attacked the deceased by



kicking his chest, by which he fainted, pursuant to which he was taken to Government Hospital, Kallakurichi and there, the doctor declared him dead. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that there is no specific overt act against the petitioner and she was only present at the scene of occurrence and she is the mother of A1. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on the occurrence day, the accused persons trespassed the defacto complainant's house and A1 attacked with knife, due to which he sustained grievous injuries and died. As far as this petitioner, she was present at the place of occurrence.

5. It is seen that there is no specific overt act against the petitioner except she was present at the place of occurrence along with other accused persons. Considering the above facts and circumstances of the case and also considering 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 his 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 Judicial Magistrate No.I, Kallakurichi 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. and 05.30 p.m. until further orders

[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.

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-sd/-
29/06/2022

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 JUDICIAL MAGISTRATE,
NO.I, KALLAKURICHI.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VARANJAM POLICE STATION,
KALLAKURICHI DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, CUDDALORE.

+1 CC to M/S. S.SARAVANA KUMAR Advocate on payment of necessary charges SR.NO.10256

CRL OP.14721/2022

Date :29/06/2022

TA-29/06/2022