



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2022

CORAM

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

Cr1.OP.No.15366 of 2022

Meena

..Petitioner/A2

Vs.

State rep by,
The Inspector of Police,
Shevapet Police Station,
Salem District
crime No.149 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.149 of 2022 on the file of the respondent police.

For Petitioner : Mr.B.Vasudevan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.05.2022 for the offence punishable under Sections 341, 392 r/w 397, 506(2) of IPC in crime No.149 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 30.05.2022 at about 20.00 hrs., while the defacto complainant was going in his motor cycle near Gugai Sangeeth Theatre Muslim Burial Ground, the petitioner and her brother waylaid the defacto complainant, showing a paper asked an address. At that time, A1 showed knife and demanded to give money. Thereafter, A1 took away Rs.4,500/-, cell phone worth Rs.10,000/- and also 85 gram of silver hand chain from the defacto complainant. 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 submitted that there are totally two accused, in which the petitioner is arrayed A2 whereas A1 is her brother. He would further submit that the property has been recovered and the petitioner has no previous cases. However, he vehemently opposed to grant bail to the petitioner.

5. Considering that the property has been recovered and the petitioner has no previous cases, 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 Judicial Magistrate No.3, Salem 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 stay at Melmaruvathur and report before the Inspector of Police, Melmaruvathur Police Station, Melmaruvathur daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter 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.

-sd/-

05/07/2022

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.3, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SHEVAPET POLICE STATION,
SALEM DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL FOR WOMEN, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE
MELMARUVATHUR POLICE STATION,
MELMARUVATHUR.

+1CC to M/S.B.VASUDEVAN
charges SR.No.10729

Advocate on payment of necessary

CRL OP.15366/2022

Date :05/07/2022

CSK 05/07/2022