



CrI.OP.No.17482 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2022

CORAM

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

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S.Aishwarya

..Petitioner

Vs.

The State rep by its,
The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai District
Crime No.309 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.309 of 2022 on the
file of the respondent police.

For Petitioner : Ms.D.Saraswathi

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2022 for the offence punishable under Sections 294(b), 326A, 506(ii) of IPC in crime No.309 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the defacto complainant one, Ashwini who fell in love with one Parthiban. At the same time, the petitioner also had love affair with the said Parthiban. Due to which, enmity arose between the complainant and petitioner. On the day of occurrence, petitioner went to the house of the complainant and poured acid on her face and also on her mother's face and thereafter she escaped in the A2's vehicle. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that co-accused had been granted bail by this Court in CrI.O.P.No.15063 of 2022 dated 30.06.202. Hence, he prays to grant bail



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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 as A1. On the date of occurrence, petitioner poured acid on the face of the defacto complainant. He further submitted that this Court dismissed the petitioner's bail petition in CrI.O.P.No.15237 of 2022 dated 04.07.2022. Hence, he opposed for grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of her arrest i.e. 05.06.2022, 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 blood related sureties, each for a like sum to the satisfaction of the **Judicial Magistrate Court No.II at Poonamallee** and on further conditions that:



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[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 Coimbatore and report before the Inspector of Police, Peelamedu Police Station, Coimbatore daily at 10.30 a.m. and 05.30 p.m. for a period of three 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.

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To

1.Judicial Magistrate Court No.II
at Poonamallee

2.The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai District.

3.Central Jail,
Puzhal.

4.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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