



WEB COPY



CrI.OP.No.18053 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2022

CORAM

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

CrI.OP.No.18053 of 2022

Vijaya

...Petitioner

Vs.

The State, represented by
Inspector of Police,
R.9, Valasaravakkam Police Station,
Chennai – 600 087.
(Crime No.105 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with Crime
No.105 of 2022, pending investigation, on the file of respondent police.

For Petitioner : Mr.R.Sankarasubbu
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 06.07.2022 for the offences punishable under Section 174 of
Cr.P.C @ 302 of IPC in crime No.105 of 2022 on the file of the
respondent police, seeks bail.

2. The case of the prosecution is that on 03.07.2022, at about



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1.30 p.m., the deceased was strangled to death. Hence, the case.

3. The deceased had illegal intimacy with another one.

Therefore, the petitioner strangled her husband and unfortunately, he died.

4. 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.06.07.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Poonamalee** 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation



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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.

02.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate-II,
Poonamalee.
- 2.The Inspector of Police,
R.9, Valasaravakkam Police Station,
Chennai – 600 087.
- 3.Central Prison,
Puzhal (Spl.Womens)
Chennai-66.
- 4.The Public Prosecutor,
High Court of Madras

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