



Crl.OP.No.19055 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2022

CORAM

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

Crl.OP.No.19055 of 2022

Valarmathi

...Petitioner

Vs.

State represented by
The Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District.
(Crime No.1431 of 2021)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with the case in
Crime No.1431 of 2021 on the file of the respondent police.

For Petitioner :Mr.R.Prabakar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.07.2022 for the offences punishable under Sections 174 of Cr.P.C and 307 of IPC and subsequently altered to Section 306 IPC in crime No.1431 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, the husband of the petitioner committed suicide by hanging for the reason that, the petitioner had illegal intimacy with another man. Hence, the case.

3. The learned counsel for the petitioner submitted that the alleged occurrence took place in the year 2021 and the petitioner has been arrested on 26.07.2022. Hence, he seeks for bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that, originally FIR has been registered for the offence under Section 174 of Cr.P.C and 307 of IPC and subsequently it was altered to Section 306 IPC. Hence, he opposed for grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case



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and also the period of incarceration by the petitioner from the date of their arrest i.e., 26.07.2022, this Court is inclined to grant bail to the petitioner.

6. 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, No.1, Dharmapuri** 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 twice daily at 10.30 a.m. and 5.30 p.m., for a period of six weeks and thereafter 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.



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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To

1. Judicial Magistrate No.1,
Dharmapuri.
2. The Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District.
3. Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

Sma

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