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CrI.OP.No.20055 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

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

CrI.OP.No.20055 of 2022

Devika
...Petitioner

Vs.

State Rep. by:
The Inspector of Police,
Dusi Police Station,
Thiruvannamalai.
(Crime No.297 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Cr.No.297 of 2022 on the file
of the Respondent Police.

For Petitioner :Mr.J.Franklin

For Respondent :Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2022 for the offences punishable under Sections 302 & 506(ii) of IPC in crime No.297 of 2022 on the file of the respondent police, seeks bail.

2. It is seen that, there are totally five accused, in which, the petitioner is arrayed as A4. A1's daughter fell in love with the deceased and thereby they both eloped and got married. They lived together and due to which, she got pregnant. It is further seen that, A1 lodged a complaint and the same was registered in Crime No. 05.0f 2022 under POCSO Act as against the deceased. Due to such vengeance, all the accused persons went to the victim's house and attacked the victim with deadly weapons, due to which, he sustained grievous injuries and died. Thereafter all the accused persons brutally murdered the persons who fell in love with the petitioner's daughter. The petitioner is none other than the wife of A1. That apart, the petitioner was arrested and remanded to judicial custody on 01.07.2022.



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3. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of arrest i.e., 01.07.2022, this Court is inclined to grant bail to the petitioner.

4. Accordingly, the petitioner is ordered to be released on bail on her executing separate 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, Cheyyar** 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 four 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 absconds, a fresh FIR can be registered under Section 229A IPC.

24.08.2022

Sma

To

1.The Judicial Magistrate,



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Cheyar.

- 2.The Inspector of Police,
Dusi Police Station,
Thiruvannamalai.
- 3.Central Prison for Women,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN, J.



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