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CrI.OP.No.19605 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

CrI.OP.No.19605 of 2022

E.Vijayalakshmi

...Petitioner

Vs.

The Inspector of Police,
T-11, Thiruninravur Police Station,
Thiruvallur.

Cr No.278 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail, in the case pending investigation in Crime No.278 of 2022 on the file of the Respondent Police.

For Petitioner : Mr.R.Prem Anandhan
For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.07.2022 for the offences punishable under Section 306 of IPC in crime No.278 of 2022 on the file of the respondent police, seeks bail.



Crl.OP.No.19605 of 2022

WEB COPY

2. The case of the prosecution is that deceased borrowed a sum of Rs.2,00,000/- from the petitioner. On 14.07.2022, the petitioner came to the house of the deceased and abused her in filthy language for having failed to repay the borrowed amount. Due to such humiliation, the deceased committed suicide by consuming pesticide. Hence, the complaint.

3. As per the case of the prosecution, the deceased borrowed a sum of Rs.2,00,000/- from the petitioner. The deceased defaulted in the repayment of the amount and committed suicide.

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. 22.07.2022, 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, Thiruvottriyur**, and on further conditions that:



CrI.OP.No.19605 of 2022

WEB COPY

[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 daily at 10.30 a.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.

[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.

23.08.2022

mpl



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Crl.OP.No.19605 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Thiruvottriyur.
- 2.The Inspector of Police,
T-11, Thiruninravur Police Station,
Thiruvallur.
- 3.Central Women Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.19605 of 2022

23.08.2022