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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.25692 of 2021

Vasantha

...Petitioner

Vs.

State Represented By
The Inspector of Police,
Anaicut Police Station,
Chengalpattu District.
(Crime No.257 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.257 of 2021 on the file of the respondent police.

For Petitioner : Mr.G.Mahesh Kumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 24.10.2021 for the offences under **Sections 498-A, 304B, 506(i) IPC r/w Section 4 of Dowry Prohibition Act altered from Section 174 (3) Cr.P.C.** in Crime No.257 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased and A1 got married on 03.06.2020 and the petitioner is the mother-in-law of the deceased. After the marriage, the petitioner/A2 and her son/A1 abused and harassed the deceased by demanding dowry. Due to that, on frustration the deceased committed suicide by hanging at her mother's home. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the suicide committed by the deceased and she has been falsely implicated in this case and that she has been suffering incarceration for about 65 days from 24.10.202. He would further submit that co-accused/A1 has already been released on bail by this Court. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner is arrayed as A2 and due to the harassment made by the petitioner and others, the deceased committed suicide but admits that co-accused/A1 has been released on bail and that the investigation is almost completed.

5. Considering the facts and circumstances of the case and the fact that the investigation is almost completed and A1 has been granted bail by this Court and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

(a) Accordingly, the Petitioner is ordered to be released on bail on executing her **own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison**, in which the Petitioner has been confined and thereafter on her release;

(b) the petitioner shall execute **two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned Judicial Magistrate, Cheyyur, within 15 days from the date of commencement of the Court's normal functioning**, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) **the petitioner shall report before the respondent police as and when required for interrogation;**

(e) the petitioner shall not commit any offences of similar nature;

(f) the petitioner shall not abscond either during investigation or trial;



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(g) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Judicial 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];

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

03/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
CHEYYUR, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
CHENGALPATTU DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
PUZHAL, CHENNAI.

+1 CC to M/S. G.MAHESH KUMAR Advocate on payment of necessary charges SR.NO.12

CRL OP.25692/2021

Date :03/01/2022

TA-04/01/2022