



Crl.O.P.No.27513 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

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THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.27513 of 2022

Rajeswari

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Pernamped Police Station,
Vellore District.

(Crime No.359 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.359
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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petitioner has been implicated in this case only based on the confession statement recorded from the arrested accused and also based on the circumstantial evidence. He would further submit that the petitioner was arrested on 31.08.2022 and she is in custody for more than two months and she is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The Government Advocate (Crl.Side) appearing for the respondent police would submit that on account of the money dispute, the accused have committed murder of the de-facto complainant's mother by hitting her with stone. He would also submit that as per the complaint, there is no eye witness to the occurrence. However, he would oppose for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham** 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, everyday at 10.30 a.m., until further orders;

[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.

11.11.2022

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To

1. The Judicial Magistrate,
Gudiyatham.
2. The Inspector of Police,
Pernamped Police Station,
Vellore District.
3. The Central Prison for Women,
Vellore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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