



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16.06.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.9616 of 2022

WEB COPY

Vijayalakshmi

... Petitioner/Accused No.6

Vs

State represented by
The Inspector of Police,
Pandalgudi Police Station,
Viruthunagar District.
(Crime No.27 of 2022).

... Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed,
Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

PETITION FOR BAIL Under Section 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.27 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.6, who was arrested and remanded to judicial custody on 15.03.2022 for the offences punishable under Sections 147, 148, 294(b), 342, 324, 307 and 302 IPC, in Crime No.27 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant's cousin one Anitha got married to the defacto complainant's paternal uncle one Pandi and after the marriage, the first accused, who is the adjacent householder, had disturbed the said Anitha. Due to that, the family members of the said Anitha had reprimanded and admonished the first accused, for which, the first accused along with the other accused abused the defacto complainant's father in filthy language and assaulted him on his head by using iron rod and thereafter, when the defacto complainant's father went to the hospital, the petitioner and the other accused at the instigation of the first accused followed the defacto complainant's father in a car and dashed against him and caused his death. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has not committed any offence as alleged by the prosecution. He would further submit that the



petitioner is in judicial custody from 15.03.2022 and that the petitioner is the mother of the first accused.

4.The learned Additional Public Prosecutor would submit that the respondent police, after completing the investigation, has laid a final report and the case was taken on file in PRC.No.8 of 2022 on the file of the Judicial Magistrate, Aruppukottai.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 15.03.2022, that charge sheet has been filed and the case was taken on file in PRC.No.8 of 2022 and that the petitioner is not having any previous cases for similar offence or serious offence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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, Aruppukottai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the committal Court on all working days at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

16/06/2022

/ TRUE COPY /

16/06/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE, PANDALGUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE SUPERINTENDENT, SPECIAL PRISON FOR WOMEN, CENTRAL PRISON,
MADURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9616 of 2022

Date :16/06/2022

RS/VR/SAR.3 (16.06.2022) 3P-6C