



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.9832 of 2022

Anitha : Petitioner/Rank Not Known

Vs.

State represented by
The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.
(Crime No.135 of 2022)

: Respondent/Complainant

For Petitioner : Mr.V.Angusamy,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

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

PRAYER :-

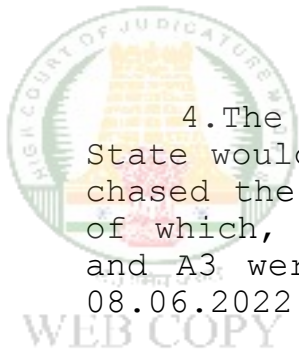
For Bail in Crime No.135 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 24.04.2022 for the offence punishable under Sections 341, 294(b), 323, 324, 307 & 506(ii) of IPC @ 120(B), 294 (b), 302, 323, 324, 341 and 506(ii) of IPC, in Crime No.135 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there existed property dispute between the deceased/ Sasikumar and the petitioner, as a result of which the petitioner along with other accused had attacked the deceased Sasikumar using weapons, due to which he died. 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 and that she has been falsely implicated in the above case.



4.The learned Additional Public Prosecutor appearing for the State would submit that due to property dispute, all the accused had chased the deceased and attacked him with deadly weapon as a result of which, he died. He would further submit that the co-accused/A2 and A3 were already granted bail by this Court, vide order dated 08.06.2022 in Crl.OP(MD)No.9998 of 2022.

5.Considering the above facts and also the facts that the petitioner is in judicial custody from 24.04.2022, that there existed previous enmity between the parties and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner with certain 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 No.IV, Tirunelveli.

(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 respondent police daily at 10.30.am, 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/petitioner, thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/06/2022

/ TRUE COPY /

10/06/2022

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 concerned.



TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3 THE INSPECTOR OF POLICE
THATCHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE OFFICER INCHARGE,
KOKKARAKULAM WOMENS PRISON,
TIRUNELVELI.

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

ORDER
IN
CRL OP(MD) No.9832 of 2022
Date :10/06/2022

RS/VR/SAR.3 (10.06.2022) 3P-6C