



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

Date : 15/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.16611 of 2022

WEB COPY

Sunilda Mary

... Petitioner/Sole Accused

Vs.

State Rep.by
The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai,
Crime No.334/2022.

... Respondent/Complainant

For Petitioner : M/s.S.Krishnan, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

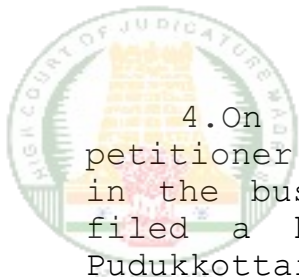
For Bail in Crime No.334 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 29.08.2022, in Crime No.334 of 2022, on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that on 29.08.2022, at about 12.30 pm., while the defacto complainant was travelling in a Government Bus along with her grandson, there was crowd and no seat was available. When the petitioner, who is sitting in the bus, offered to carry her grandson and that she gave him. While the bus reached the bus stand, the defacto complainant has taken her grandson and found out that one sovereign of gold chain, worn by her grand son was missing and that the petitioner has stolen the same. A case in Crime No.334 of 2022, under Section 379 I.P.C, was registered against the petitioner.

3.On the side of the petitioner, it is stated that the petitioner is innocent and she has been falsely implicated in the case. The petitioner is in judicial custody from 29.08.2022 and that the petitioner is a sugar patient and prayed the petitioner to be released on bail.



4. On the side of the prosecution, it is stated the petitioner snatched the chain of the defacto complainant's grandson in the bus and the chain was recovered. Already the petitioner filed a bail petition before the Principal Sessions Judge, Pudukkottai, in Crl.M.P.No.3147 of 2022, and the same was dismissed on 07.09.2022 and the investigation is still pending and prayed the petition to be dismissed.

5. It is seen that the petitioner has filed a bail petition before the Sessions Judge, Pudukkottai, in Crl.M.P.No.3147 of 2022, and the same was dismissed on 07.09.2022. Considering the nature of the offence and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on her executing a bond for a sum of 10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pudukkottai and on further conditions that:

(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 a.m., until further orders;

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

(iv) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(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 / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

15/09/2022

/ TRUE COPY /

15/09/2022

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, 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.

WEB COPY

- To
- 1 THE JUDICIAL MAGISTRATE NO.I, PUDUKKOTTAI
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON (WOMAN), TRICHY.
 - 4 THE INSPECTOR OF POLICE, PUDUKKOTTAI TOWN POLICE STATION, PUDUKKOTTAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16611 of 2022
Date :15/09/2022

LS
RS/VRS/SAR.3 (15.09.2022) 3P-6C