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Crl.O.P.No.8837 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2023

CORAM

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

Crl.O.P.No.8837 of 2023

P.Ramya

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Annur Police Station,
Coimbatore.

(Crime No.125 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner/accused on bail, in connection with the

Crime No.125 of 2023, pending investigation on the file of the respondent

Police.

For Petitioner : Mr.V.Karnan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.03.2023 for the offences punishable under Sections 294(b), 307, 324, 328 and 506(ii) IPC and section 4 of TNPHW Act in Crime No.125 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's husband, who is A1, having illicit intimacy with the petitioner, for which, the petitioner along with other accused attempted to kill the defacto complainant by injecting pesticides. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely roped in this case, since there was a matrimonial dispute between the defacto complainant and A1, suspecting that the petitioner is having relationship with A1. He further submitted that the petitioner is in custody from 01.03.2023, hence, he prayed to grant bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is the girl friend of A1 and he was having illicit intimacy with her, for which, the petitioner and A1 abused the defacto complainant and attempted to kill her by injecting pesticides. Therefore, he opposed to grant bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, 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 with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned**



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District Munsif cum Judicial Magistrate, Annur, 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;

[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]*;



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

24.04.2023

mpa

To

1. The District Munsif cum Judicial Magistrate, Annur.
2. The Inspector of Police,
Annur Police Station,
Coimbatore.
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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