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CrI.O.P.No.11644 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A. NAKKIRAN

CrI.O.P.No.11644 of 2023

Andal

... Petitioner

Vs.

State rep by,
The Station House Officer,
Virudhachalam,
Cuddalore District.
(Crime No.104 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in Crime No.104 of 2023, on the file
of the respondent police.

For Petitioner : M/s.S.Valliammal

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 13.03.2023, in connection with Crime No.104 of 2023 registered for the



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offence punishable under Sections 294(b), 326-A and 307 of IPC, seeks bail.

2.The case of the prosecution is that on 12.03.2023 at about 11.30 p.m, when the defacto complainant was chatting with some unknown person, at that time, the petitioner, who is none other than the mother-in-law of the defacto complainant, entered into her room and questioned her about the chatting, for which, there arose a quarrel between them. As a result, the petitioner took the bathroom cleaning acid and poured it into the body of the defacto complainant, thereby she sustained injury. Hence, the complaint.

3.Learned counsel for the petitioner submitted that this is the second bail application, earlier bail petition was dismissed by this Court on 04.05.2023 in Crl.OP.No.10149 of 2023. He further submitted that the petitioner is no way connected with the alleged offence and she is in judicial custody for the past 60 days. He would further submit that without prejudice to his contentions, the petitioner is prepared to deposit an amount of Rs.5,000/- towards any charitable organization or association. Hence, he prayed for grant of bail to the petitioner.



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4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is the mother-in-law and the defacto complainant is the daughter-in-law. Due to a wordy quarrel between them, the petitioner poured acid on the defacto complainant, as a result of which, she sustained injuries and this is the second bail application filed before this Court. He further submitted that the injured has been discharged from the hospital. Nine witnesses have been examined and the investigation is almost completed. However, he opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner and nine witnesses have been examined and the injured has been discharged from the hospital and also taking note of the fact that the petitioner without prejudice to his right, she is ready to deposit a sum of Rs.5,000/- towards any charitable organization or association, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as non-refundable deposit to the**



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credit of Sri Arunodayam Charitable Trust, No.45, Sivananda Nagar, Kolathur, Chennai 600 099, A/c No: 50100196910687, Bank : HDFC Bank, Branch : Dayalur Nagar, Villivakkam Branch, IFSC Code: HDFC0004224, Cell No. 91-8608971037, Tel 91-44-2651 1450 and on such deposit, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Virudhachalam*, 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 daily at 10.00 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



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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.

18.05.2023

drl

To

1. The Judicial Magistrate No.I,
Virudhachalam.
2. The Station House Officer,
Virudhachalam,
Cuddalore District.
3. The Superintendent, Special Prison for women,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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A.A.NAKKIRAN, J.

drl

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