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CrI.O.P.No.11179 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.11179 of 2023

Punniyavathi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
PEW-Chengam,
Tiruvannamalai District.

(Crime No.215 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in Crime No.215 of 2023,
pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.C.Chellappan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor
(CrI.Side)



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4. Today, when the matter was called the learned Additional Public Prosecutor submitted that the petitioner has two previous cases and was in possession of country arrack 111 litres and also confirmed that the petitioner's detention under Act 14 of 1982 was revoked.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the entire materials available on record.

6. Considering the fact that the petitioner is a lady and the petitioner's detention under the Act of 14 of 1982 has been revoked and the period of the incarceration suffered by the petitioner, this Court is inclined to allow the petition on the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate, Chengam Tiruvannamalai District**, and on further conditions that:



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[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]*;

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

12.05.2023

dk/vkr

Note : Office to issue order copy on **12.05.2023**



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To
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1. The Judicial Magistrate,
Chengam Tiruvannamalai District.
2. The Inspector of Police,
PEW-Chengam,
Tiruvannamalai District.
3. The Suprintendent
Special Prison for Women
Vellore
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J

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