



Crl.O.P.No.19860 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.19860 of 2023

Rebecca Roshini Nisha

...Petitioner

Vs.

State Rep by
The Station House Officer,
Orleanpet Police Station,
Puducherry.
(Crime No.151/2023)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail who has been arrested in connection with the crime No.151/2023, dated 12.06.023, on the file of the Station House Officer, Orleanpet Police Station, Puducherry.

For Petitioner : Mr.B.Balavijayan

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor, Puducherry.



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ORDER

The petitioner, namely, Rebecca Roshini Nisha, who was arrested and remanded to judicial custody on 15.06.2023 for the offences punishable under Sections 448, 307 and 34 IPC @ Sections 448, 307, 120B, 109 r/w 34 IPC, in Crime No.151 of 2023, on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No. 151 of 2023 for the offences under Sections 448, 307, 120B, 109 r/w 34 IPC. Petitioner is the daughter-in-law of the injured Mary Daisy. There is a family dispute between the petitioner and her mother-in-law. Suspecting that, petitioner was responsible for the injury caused to her mother-in-law, petitioner is falsely implicated in this case. Petitioner is in judicial custody from 15.06.2023. Thus, he prays for grant of bail.

3. Learned Public Prosecutor opposes this petition, on the ground that, there is a dispute between the petitioner and her mother-in-law. Therefore, petitioner had hired hooligans to do away the mother-in-law of



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the petitioner. On 12.06.2023, at about 1.00 p.m., hooligans arranged by the petitioner, forcefully entered into the house of the victim and caused her serious injuries using deadly weapons. As a result, she was treated at Government Hospital and then at Kaveri Hospital, Puducherry. Due to the incident, petitioner's mother-in-law suffered the following injuries,

(i) Deep cut over left hypochondriac region, fat layer exposed (6x5 cm), laceration eyes over right wrist (5x1cm), a laceration injury over left clavicle region (10x1cm), a multiple laceration by over.

4.Taking into consideration the injuries suffered by the victim and that investigation in this case is not completed, earlier bail petition in Crl.O.P.No.15657 of 2023 was dismissed on 31.07.2023.

5.The learned Public Prosecutor submitted that petitioner is still under treatment. However, considering the duration of the petitioner's judicial custody from 15.06.2023 and that substantial part of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with conditions and the petitioner is



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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 – II, Puducherry** 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 stay at Coonoor and report before the Coonoor Town Police Station daily morning 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 with law as if the conditions have been imposed and the



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

29.08.2023

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To

- 1.The Judicial Magistrate – II,
Puducherry.
- 2.The Station House Officer,
Orleanpet Police Station,
Puducherry.
(Crime No.151/2023)
- 3.The Central Prison,
Puducherry.
- 4.The Public Prosecutor,
Puducherry.

G.CHANDRASEKHARAN. J.



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