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Crl.O.P.No.21558 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.21558 of 2023

J.Sulochana

...Petitioner

Vs.

The State Rep by
The Inspector of Police,
Perambalur Police Station
Cr.No.421 of 2023.

...Respondent

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

praying to enlarge the petitioner on bail in Crime No.421 of 2023, on the
file of the respondent.

For Petitioner : Mr.E.V.Chandru
for A.S.Aswin Prasanna

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

Petitioner, who was arrested and remanded to judicial custody on 08.08.2023 for the offences punishable under Sections 147, 148, 120(B), 302 r/w 34 IPC in Crime No.421 of 2023, on the file of the respondent police, seek bail.

2. It is the submission of the learned counsel for the petitioner that petitioner is the 12th accused in this case. She is falsely implicated in this case for the reason that she is wife of the 11th accused in this case against whom specific overtact was attributed in the murder of the deceased Selvaraj @ Abdul Rahman. He further submitted that, similarly placed accused was granted bail by this Court in Crl.O.P.No.19352 of 2023 on 30.08.2023. Petitioner is in Judicial Custody from 08.08.2023. Thus, he prays for bail for the petitioner.

3. Learned Additional Public Prosecutor submitted that petitioner is the wife of the 11th accused. She conspired with other accused in this murder and provided shelter to her husband and some other accused,



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who had personally participated in the act of the murder. Investigation in this case is not completed. Thus, he prayed for dismissal of this petition.

4.Considered the rival submissions and perused the records. The specific overt act as against this petitioner is that, she is the wife of A11, who had actively participated in the murder of the deceased. Considering the facts and circumstances of the case and the petitioner is in Judicial Custody from 08.08.2023 and similarly placed accused had been granted bail by this Court and that material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, petitioner is 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 No.1, Perambalur** and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] petitioner shall report before the respondent police daily morning at 10.00 a.m., until further orders.

[c] petitioner shall not abscond either during investigation or trial.

[d] 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 petitioner in accordance with law as if the conditions have been imposed and 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.

20.09.2023

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To

1. The Judicial Magistrate No.1,
Perambalur.
- 2.The Sub Inspector of Police,
Perambalur Police Station,
Perambalur,
- 3.The Central Prison,
Trichy.
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN. J.

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