



Crl.OP.No.24267 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.24267 of 2023

Usharani
W/o.Suresh

...Petitioner

Vs.

The Inspector of Police,
Kannamangalam Police Station,
Thiruvannamalai District.

(Crime No.530 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.530 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.D.A.Sugumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)



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ORDER

The petitioner/A1 seeks bail in Crime No.530 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 332 and 307 IPC. The petitioner had been taken into custody on 10.09.2023.

2.Earlier application seeking bail was dismissed on 04.10.2023 in Crl.O.P.No.22717 of 2023.

3.It is the case of the prosecution that the petitioner is the wife of the defacto complainant and due to matrimonial dispute, she had decided to move away from the marital house. It is stated that due to family dispute between the petitioner and the defacto complainant, a domestic violence case in D.V.C.No.1 of 2020 is also pending before the Judicial Magistrate, Arani.

4.It is the further case of the prosecution is that the petitioner and her father had poured kerosene over the defacto complainant and actually



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burnt him, causing 25% of burn injuries. It is contended by the learned counsel for the petitioner that the defacto complainant had been discharged from hospital.

5.The change in circumstance is that A2 is now surrendered and has been taken into custody and the injured also had been discharged from the hospital.

6.Taking into consideration the period of incarceration and the fact that there are also children, whom the petitioner has to take care, I am inclined to grant bail to the petitioner subject to 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 Judicial Magistrate, Arani and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, once in a week i.e., on every Saturday 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 absconds, a fresh FIR can be registered under Section 229A IPC.

23.11.2023

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To

- 1.The Judicial Magistrate, Arani
- 2.Women Prison, Vellore.
- 3.The Inspector of Police,
Kannamangalam Police Station,
Thiruvannamalai District.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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