



WEB COPY



Crl.O.P.No. 24367 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

CORAM

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

Crl.O.P.No.24367 of 2023

P.Chembaruthi

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
RK Pet Police Station,
Tiruvallur District
(Crime No.518 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.518 of 2023
pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Jaikumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 06.08.2023, registered by the respondent Police originally for the offence



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under Section 174(iii) of Cr.P.C and subsequently, altered to Sections 450, 302, 115 of IPC in Crime No.518 of 2023, seeks bail.

2.It is stated that the deceased was the husband of the petitioner herein, who is arrayed as A3. It is also stated that the petitioner herein had illicit intimacy with yet another person. This aggravated her husband and she planned to do away with him and thereafter, all the accused apparently committed the act of murder.

3.This is second application for bail filed by the petitioner.

4.Taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 District Munsif cum Judicial Magistrate, Pallipattu 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.



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[b] the petitioner shall report before the respondent Police daily 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.

31.10.2023

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To

1. The District Munsif cum Judicial Magistrate, Pallipattu.
2. The Inspector of Police,
RK Pet Police Station,
Tiruvallur District



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3. The Central Prison, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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