



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6322 of 2023

Krishnaveni

... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Samayapuram Police Station,
Trichy Distrit.
Cr.No.276/2022.

... Respondent/Complainant

For Petitioner : M/s.Palani Raja M,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 276 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 21.02.2023 for the offence punishable under Sections 341 and 302 IPC in crime No.276 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the brother of the defacto complainant Chinnarasu was car driver and he was having illicit intimacy with this petitioner who is the wife of the first accused and due to this there was enmity between them, hence on 29.10.2022 at about 8.15 pm., when the brother of the defacto complainant Chinnarasu went to Samayapuram Mariamman Kovil, the first accused and this petitioner waylaid the said Chinnarasu and disputed with him and the first accused stabbed him with knife and the brother of the defacto complainant died on the spot, hence the



3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that there are totally two accused in this case. The petitioner had illegal intimacy with the deceased. When it came to the knowledge of the first accused through the petitioner the deceased was called to Samayapuram temple where the first and third accused attacked the deceased and murdered him. In so far as the petitioner is concerned she only called the deceased and the deceased came to the place of occurrence. Further no specific overt act has been attributed as against the petitioner. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] 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 Judicial Magistrate No.III, Trichy and on further conditions that:

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

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

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].



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

sd/-
05/04/2023

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/ TRUE COPY /

05/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1. The Judicial Magistrate No.III, Trichy.
2. Do through the Chief Judicial Magistrate,
Trichy.
3. The Officer In-Charge,
Special Prison for Women, Trichy.
4. The Inspector of Police,
Samayapuram Police Station,
Trichy Distrit.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.PALANIRAJA, Advocate (SR-5417[I] dated 05/04/2023)

ORDER
IN
CRL OP(MD) No.6322 of 2023
Date : 05/04/2023

NA/VR/SAR /05.04.2023/3P/7C