



WEB COPY

CRL OP(MD).



23

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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8776 of 2023

Swetha

... Petitioner/Accused No.8

Vs

The State represented by
The Inspector of Police,
Annavasal Police Station,
Pudukottai District.
Crime No.81 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Jeyamohan K,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.81 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A8 who was arrested and remanded to judicial custody on 16.04.2023 along with her child for the offence under sections 147, 148, 294(b), 341, 427, 302 and 506(2) of IPC in Crime No.81 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the brother of the defacto complainant was brutally attacked and murdered by the accused on 16.04.2023 at 2.30 p.m.

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

4. The learned counsel appearing for the petitioner submitted that the petitioner was not present in the scene of occurrence and she is falsely implicated in the present case.



5. The learned Additional Public Prosecutor submitted the petitioner was accompanied by the other accused at the time of occurrence.

4. Taking into consideration the facts and submissions made by the learned counsels and also the fact that she was remanded to judicial custody along with her 1½ year child and the investigation is almost completed and since she is the wife of A5, there is no circumstance of abscondance, 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 (of which one shall be a blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate, Illupur, 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 on every Tuesday and Sunday at 10.30 A.M. 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/-

17/05/2023

/ TRUE COPY /

19/05/2023

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



TO

1 THE JUDICIAL MAGISTRATE,
ILLUPUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, TRICHY.

4 THE INSPECTOR OF POLICE
ANNAVASAL POLICE STATION, PUDUKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.JEYAMOHAN K Advocate SR.No.7461

ORDER

IN

CRL OP(MD) No.8776 of 2023

Date :17/05/2023

SS/MMS/SAR- /19.05.2023/ **3P/ 7C**