



Crl.O.P.No.3564 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

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

Crl.O.P.No.3564 of 2024

Kanagavalli

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai.

(Crime No.2 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.2 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Subashpandiyan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



Crl.O.P.No.3564 of 2024

WEB COPY

ORDER

The petitioner/accused in Crime No.2 of 2024, registered by the respondent for the offence under Section 302 of IPC and remanded to judicial custody on 05.01.2024, seeks bail.

2.The deceased is the husband of the petitioner. It is stated that he was addicted to alcohol and used to quarrel with the petitioner and beat her and also her children under the influence of alcohol. It is stated that owing to sudden provocation, the deceased happened to fall down and sustained injuries and later died. Whether he fell down or was pushed down is a fact to be examined during the course of trial.

3.Taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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 Judicial Magistrate XIV Metropolitan Magistrate, Egmore Court and on further conditions that: -



Crl.O.P.No.3564 of 2024

WEB COPY

[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.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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.

16.02.2024

ata



WEB COPY



Crl.O.P.No.3564 of 2024

C.V.KARTHIKEYAN. J.
ata

To

1. The Judicial Magistrate XIV Metropolitan Magistrate, Egmore Court.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.3564 of 2024

16.02.2024