



Crl.O.P.No.3662 of 2024

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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.3662 of 2024

Gowsalya

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Omalur Police Station,
Omalur, Salem District.

(Crime No.720 of 2023)

...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.720 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.R.Murugabharathi

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



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ORDER

The petitioner/accused in Crime No.720 of 2024, registered by the respondent police for the offences under Sections 302, 307 and 309 of IPC and remanded to judicial custody on 31.01.2024 seeks bail.

2.It is stated that owing to domestic quarrel, the petitioner had jumped into a well with two of her boys. The younger boy aged 6 years died but the petitioner and her elder son aged 10 years were rescued by the villagers.

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, Omalur, Salem District, 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



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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

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate, Omalur, Salem District.
2. The Central Prison (Women), Salem.
3. The Inspector of Police,
Omalur Police Station,
Omalur, Salem District.
4. The Public Prosecutor,
High Court of Madras.

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