



Crl.O.P.No.4072 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

Crl.O.P.No.4072 of 2024

Soniya

... Petitioner

Vs.

State Represented by its
Inspector of Police,
Berigai Police Station,
Krishnagiri District
Crime No.307 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.307 of 2023 on the file of
the respondent Police.

For Petitioner : Mr.M.P. Saravanan

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 18.12.2023 for the offences registered under Section 449,302 of IPC in
Cr.No.307 of 2023 on the file of the respondent Police, seeks bail.



Crl.O.P.No.4072 of 2024

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2. The petitioner is the wife of the deceased, It is the case of the prosecution that the petitioner had relationship with A1. A2 is said to be a relative of A1. Taking the husband to be an obstruction, the accused had committed the offence of murder. The defacto complainant is the mother of the deceased.

3. It is stated that the earlier bail application was dismissed in Crl.O.P.No. 1603 of 2024 vide order dated 30.01.2024.

4. The learned Government Advocate(crl side) submitted that the investigation has been completed and charge sheet was also filed before the Judicial Magistrate Court, No.1, Hosur.

5.Taking into consideration the period of incarceration and also of the fact that **there is substantial change in circumstances, owing to filing of charge sheet** , I am inclined to grant bail to the petitioner subject to the following conditions:

6.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**



CrI.O.P.No.4072 of 2024

Judicial Magistrate I, Hosur 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.

[b]the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of 20 days and thereafter before the learned Judicial Magistrate I, Hosur till the matter is committed to the Court of session and thereafter during the Court hearing dates before the Court of sessions.

[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.

21.02.2024

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CrI.O.P.No.4072 of 2024

C.V.KARTHIKEYAN,J.

smn

To

1.The **Judicial Magistrate I, Hosur**

2. The Inspector of Police,
Berigai Police Station,
Krishnagiri District
Crime No.307 of 2023

3.The **Central Prison, Salem**

4. The Public Prosecutor, High Court of Madras.

CrI.O.P.No.4072 of 2024

21.02.2024