



WEB COPY



Crl.O.P.No.3827 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

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

Crl.O.P.No.3827 of 2024

Menaka

... Petitioner

Vs.

State represented by
Inspector of Police,
Manimangalam Police Station,
Tambaram, Kancheepuram 601301.
(Crime No.1691 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.1691 of 2020 on the file
of the respondent.

For Petitioner : Mr.N.Bhuvaneswaran

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

ORDER

The petitioner/A4 who was arrested and remanded to judicial
custody on 20.01.2020, for the offences originally registered under Man
missing and later, altered to Sections 302, 201, 120(B) of IPC in Crime



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No.1691 of 2020 on the file of the respondent Police, seeks bail.

2. The defacto complainant is the mother-in-law of the petitioner.

The husband of the petitioner is the deceased. It is stated that the petitioner herein had commenced relationship with yet another person and owing to various issues arising from that, had instigated A1 to A4 to commit the murder of her husband.

3. There was also an earlier case of murder within the same family.

A1 to A4 had been granted bail.

4. A status report had been filed by the respondent wherein it had been stated that the investigation has been practically completed and that the DNA samples have been forwarded to the forensic science laboratory and the report is to be obtained. It is also seen that there are two previous cases against the petitioner.

5. But however, taking all the factors into consideration and the period of incarceration, 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**



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Judicial Magistrate, Tambaram 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 on everyday at 10.30 a.m., until further orders.

[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.

13.03.2024

vkr

C.V.KARTHIKEYAN, J.



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To

- 1.The Judicial Magistrate, Tambaram.
2. The Inspector of Police,
Manimangalam Police Station,
Tambaram, Kancheepuram 601301
- 3.The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.

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