



Crl.O.P.No.5613 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

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

Crl.O.P.No.5613 of 2024

Indira Kumari

..Petitioner

Vs.

State represented by
The Inspector of Police,
Pennagaram Police Station,
Dharmapuri District.
(Crime No.5 of 2024).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.5 of 2024 on the file of the respondent police.

For Petitioner : Mr.J.Franklin

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.01.2024 for the offences originally registered by the respondent



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Police under Section 302 IPC and later, altered to Sections 109, 120B and 302 of IPC in Crime No.5 of 2024 on the file of the respondent, seeks bail.

2.The deceased is the own sister-in-law of this petitioner. There has been various dispute among the family members and this dispute escalated into violence and it is contended that this petitioner and her brother and 3rd accused who is a juvenile had conspired to commit the murder of the deceased.

3.A counter affidavit had been filed by the respondent wherein it had been stated that the respondent had recorded the statement of 9 witnesses and also conducted inquest and that the medical reports and chemical analysis report will have to be obtained and official witnesses will have to be examined.

4.This would indicate that investigation has proceeded to a substantial extent.

5.Taking that factor into consideration and the period of incarceration, this Court is 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 Judicial Magistrate, Pennagaram 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 three 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

18.03.2024

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To

- 1.The Judicial Magistrate, Pennagaram.
2. The Sub Jail for Women, Salem.
- 3.The Inspector of Police,
Pennagaram Police Station,
Dharmapuri District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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