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Crl.O.P.No.20568 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.20568 of 2024

Pavithra

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
(Crime No. 195 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No. 195 of 2024, pending
on the file of the respondent Police.

For Petitioner : Mr.M.Machavatharan

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 25.06.2024, for the alleged offences punishable under Sections 201 and
302 of IPC, in Crime No.195 of 2024, on the file of the respondent police,



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seeks bail.

2. The case of the prosecution is that the petitioner/A2 was having an affair with A1, which was condemned by the deceased. On 23.06.2024 at about 4.00 p.m, the petitioner along with other accused, attacked the deceased using a lethal weapon, resulting in the death of the injured person. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He has not committed any offence as alleged in the FIR. He further submit that on the basis of suspicion, the respondent police was arrested the petitioner. He would further submit that the petitioner was arrested and is in judicial custody for more than 60 days and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent police submitted that the petitioner is the daughter-in-law and the deceased is mother-in-law. A2 having an affair with A1, on the date of the alleged occurrence, the petitioner along with other accused attacked the deceased with a lethal weapon and thereafter, they took the body to a remote place and set it on fire. He further submitted that the petitioner has no previous cases, pending against her and the investigation is almost completed. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, and considering the period of incarceration undergone by the petitioner, and also considering the fact that the petitioner has no previous cases against her and the investigation is almost completed and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on



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her executing 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, Uthangarai, and on further conditions that:-

[a] the petitioner shall report before the respondent police, everyday at 10.30 a.m., until further orders.

[b] the petitioner shall not commit any offences of similar nature.

[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 Judicial 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 269 BNS.



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To

- 1.The Judicial Magistrate,
Uthangarai.
- 2.The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
- 3.The Superintendent,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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