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CrI.O.P.No.22134 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

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

CrI.O.P.No.22134 of 2024

Mythili

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Melchengam Police Station,
Thiruvannamalai District.
(Crime No. 536 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No. 536 of 2023 on the file
of the respondent Police.

For Petitioner : Mr.V.Arunkumar

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 25.10.2023, for the alleged offence punishable under Sections 294(b), 353,
506(2), 307, 75 of IPC, in Crime No.536 of 2023, on the file of the



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respondent police, seeks bail.

2. The case of the prosecution is that on 24.10.2023 at about 8.40 a.m., the defacto complainant along with his officials, was on patrol duty near Government Boys High School at Melpallipattu Village. At that time, the petitioner, along with other accused persons, abused them in filthy language and also attempted to kill the police by speeding without stopping the vehicle. 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. She has not committed any offence as alleged in the FIR. He also submitted that the detention of the petitioner under Goondas was revoked by this Court. He would further submit that the petitioner was arrested and is in judicial custody from 25.11.2023 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 respondent police submitted that there are totally 2 accused in this case and



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the petitioner herein is ranked as A1. He further submit that on the date of alleged occurrence, the petitioner along with other accused persons was attempted to kill the police by speeding without stopping the vehicle. He further submit that the petitioner has 35 previous cases, pending against her. He further submits that the investigation was completed and the charge sheet was also filed. However, 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 submission made by the learned counsel on either side, nature of offence, investigation was completed and a charge sheet was also filed, and also considering the long period of incarceration undergone by the petitioner, the petitioner, who was already detained under Goondas and thereafter, the detention order was quashed by this Court, though the petitioner has so many cases, in some of the cases, she has been acquitted and in all the cases, she has been released on bail, and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on 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, Chengam, and on further conditions that:-

[a] the petitioner shall report before the concerned Jurisdictional Magistrate, on all working days at 10.30 a.m., until further orders.

[b] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[d] the Petitioner shall not abscond 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



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himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

11.09.2024

drl

To

- 1.The Judicial Magistrate,
Chengam.
- 2.The Inspector of Police,
Melchengam Police Station,
Thiruvannamalai District.
- 3.The Superintendent,
Central Prison, Trichy.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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