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Crl.O.P.No.28908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28908 of 2024

Latha

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
RS Puram Police Station,
Coimbatore District

(Crime No.278 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.278 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner/A10, who was arrested and remanded to judicial custody on 29.10.2024, seeking bail in Crime No.278 of 2024 registered for the offence under Sections 109, 329(4), 351(3), of BNS @ 109, 191(3), 332(b), 61(2)(a) of BNS.



CrI.O.P.No.28908 of 2024

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2. The case of the prosecution is that due to the previous enmity, the accused had trespassed into the de facto complainant's finance company and attempted to murder the de facto complainant by assaulting him with knife. Hence the case.

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 further submitted that the petitioner was earlier arrested in this case on 03.09.2024 and had obtained bail along with co-accused from this Court in CrI.O.P.No.22995 of 2024 dated 19.09.2024 and thereafter, since the petitioner failed to comply with the conditions, she was once again arrested by the respondent Police on 29.10.2024. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that due to the previous enmity, the accused had attempted to murder the de facto



Crl.O.P.No.28908 of 2024

complainant and during the scuffle, the de facto complainant sustained grievous injuries. He further submitted that the petitioner was earlier arrested in this case and released on bail, however, since she failed to comply with the condition, she was once again arrested by the respondent in this case. Therefore, if she is released on bail, there is a possibility of her absconding again and not available for further investigation.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

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 learned **Judicial**



Crl.O.P.No.28908 of 2024

Magistrate No.I, Coimbatore, 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 jurisdictional Magistrate concerned, on all working days for a period of 30 days and thereafter, report before the respondent, 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]***;

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

20.11.2024

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To

1. The Judicial Magistrate No.I,
Coimbatore.
2. The Inspector of Police,
RS Puram Police Station,
Coimbatore District.
3. The Superintendent,
Central Prison,
Women Special Cell, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.28908 of 2024

A.D.JAGADISH CHANDIRA., J.

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Crl.O.P.No.28908 of 2024

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