



WEB COPY



Crl.O.P.No.31826 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

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

Crl.O.P.No. 31826 of 2024

Chitra

... Petitioner

Vs.

State represented by the Inspector of Police,

V4, Rajamangalam, Chennai,

Chennai District. (Crime No. 517 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya

Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.

517 of 2024 on the file of the respondent Police.

For Petitioner : Mr.N. Suriyamuthu

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

ORDER

Petition seeking bail in respect of Crime No.517 of 2024 registered for the offences punishable under Sections 194 BNS @ 103(1) of BNS is on board for consideration.

2.The incarceration of the petitioner being from 07.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that this is a case based on circumstantial evidence. He also submits that the petitioner's husband was an alcoholic and due to his excessive liquor



consumption, he died. He also submits that the petitioner was the one who admitted him to a private hospital, after which he was transferred to a Government hospital, where he was declared dead. He also submits that if the petitioner had any intention of murder, she would not have taken him to the hospital, however, on mere suspicion, the respondent has implicated the petitioner and a family friend in this case. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner (A1) along with her paramour (A2) was involved in the murder of petitioner's husband. He further submits that during the course of investigation, it came to light that the de facto complainant/wife had an illicit relationship with A2, when her husband confronted her, she, along with her accomplice, murdered her husband and later attempted to portray it as a natural death.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the counter affidavit filed by the respondent and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain



CrI.O.P.No.31826 of 2024

conditions and accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned XIII Metropolitan Magistrate, Chennai, 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., 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 269 of B.N.S.

20.12.2024

sai



WEB COPY



Crl.O.P.No.31826 of 2024

A.D.JAGADISH CHANDIRA, J.
sai

To

1. The XIII Metropolitan Magistrate,
Chennai.
2. The Inspector of Police,
V4, Rajamangalam,
Chennai, Chennai District.
3. The Superintendent,
Central Women Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.31826 of 2024

20.12.2024