



CRL OP(MD).No.3559 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Soniya Gandhi

... Petitioner / Accused No.12

Vs

The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.
(Crime No.31/2024)

... Respondent/Complainant

For Petitioner : Mr.A.Banumathy, Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.31/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.01.2024 for the offence punishable under Sections 147, 148, 324, 302 and 120B IPC,



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in Crime No.31 of 2024 on the file of the respondent Police, seeks bail.

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2.The case of the prosecution is that due to previous enmity, the accused persons attacked the husband of the defacto complainant with weapons, due to which, he died. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 30.01.2024 and the petitioner is the wife of the first accused and based on the confession statement of the first accused, she was falsely implicated in this case. Hence, she prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent vehemently opposed for grant of bail by stating that though the petitioner and the deceased are close relatives, they belong to different political parties and the petitioner and the accused persons conspired together and committed murder. The first accused is lending money to the market and if the petitioner is enlarged on bail, law and order problem would arise. No previous case is pending against the petitioner.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the period of



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incarceration suffered by the petitioner and the fact that no previous case is pending against the petitioner and that there is no specific overt act against the petitioner, this court is inclined to grant bail to the petitioner, subject to the following 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 Magistrate No.4, Madurai District, 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 is directed to stay at Trichy and appear before the Inspector of Police, Fort All Women Police Station, Trichy District daily at 10.30 a.m., and 05.00 p.m., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned



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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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
06/03/2024

/ TRUE COPY /

06/03/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

To

1.The Judicial Magistrate No.IV,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.



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4.The Superintendent,
Central Women Jail,
Madurai District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to :

The Inspector of Police,
Fort All Women Police Station,
Trichy District.

+1 CC to M/s.A.BANUMATHY, Advocate (SR-2797[I] dated 06/03/2024)

ORDER
IN
CRL OP(MD) No.3559 of 2024
Date :06/03/2024

ED/ /SAR- (06/03/2024) 5P / 8C

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