



Crl.O.P.No.14507 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14507 of 2025

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... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
Vaniyambadi Town Police Station,
Thirupathur District.
(Crime No.75 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in Crime No.75 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Sasikumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.04.2025 for the offences punishable under Sections 127(2), 103(1) of BNS @ Sections 127(2), 103(1), 49, 61(1)(a) of BNS, in Crime No.75 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner/A2, who is the wife of the deceased, had developed illicit relationship with the first accused and she conspired with the first accused to do away her husband/deceased, who was obstacle to their relationship. This being so, on 07.04.2025, the first accused, said to have way laid the husband of the petitioner and murdered him by assaulting him with knife.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner, who is none other than the wife of the deceased, is arrayed as A2 and she has nothing to do with the alleged offence. He further submitted that the petitioner was arrested on 09.04.2025 when she had come from Saudi Arabia for doing the last rites of her deceased husband. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and further submitted that the petitioner had acknowledged the crime by sending a reply “god bless you” to the first accused's WhatsApp message after committing murder. Hence, he opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered 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 Magistrate, Vaniyambadi**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall make herself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply, to the



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M.NIRMAL KUMAR, J.

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directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

14.05.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Vaniyambadi.
2. The Inspector of Police,
Vaniyambadi Town Police Station,
Thirupathur.
3. The Superintendent, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.

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