



WEB COPY

CRL OP No. 24681 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24681 of 2025

Clara Menagadevi
W/o.Banukiran
Gandhi Nagar, Chittoor , Andhra
Pradesh-517001

Petitioner(s)

Vs

State rep by,
The Inspector of Police
Kilpennathur Police Station ,
Tiruvannamalai,
Crime no.179/2025

Respondent(s)

CRL OP No. 24681 of 2025

PRAYER

To enlarge the petitioner on bail in crime no.179 of 2025 on the file of the respondent police pending on the file of the respondent



WEB COPY

For Petitioner(s): Mr.R. Parthiban

For Respondent(s): Mr.A.Gopinath,
Govt. Advocate (Crl. Side)**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 25.07.2025 for the alleged offence under Sections 194 (3) BNSS Act @ 296(b), 85,108, 49 of BNS and 4B(2) of TNPWH Act and Sec.6(A), 6(B), 23(1), 23(3), 25 of TNDT Act, 1994 in Crime No.179 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the defacto complainant is the father of deceased, who was 5 months pregnant lady and already she is having one female child. Since the baby in the pregnancy is known to be baby girl, the petitioner along with other accused have harassed her, due to which, she got frustrated and committed suicide with her female child by fell down into the well. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that she was working in a scan centre, but she has been falsely implicated in this case as if she gave a false report with regard to gender of child. He would submit that she is an innocent person, she is no way connected with the offence and she has not



committed any of offence as alleged by the respondent police. He would also submit that she has been falsely implicated in this case and she will abide by any condition that may be imposed by this court. He would also submit that the petitioner has been suffering incarceration for more than 46 days from 25.07.2025. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there are 7 accused involved in this case and the petitioner is arrayed as A7. He would submit that the deceased was the wife of A1 and they had a female child aged about 1 ½ years and at the time of occurrence, she was 5 months pregnant. However, when the deceased visited to scan centre, she gave a false report with regard to gender of child and also due to torture of her in-laws to abort the fetus, she committed suicide by jumping into the Well, but originally it was a male child. He would submit that if she is released on bail, she would hamper the investigation and tamper the witnesses and the investigation is almost completed and still RDO enquiry is also still pending. However, he would vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances and the specific overtact attributed against this petitioner is that she gave a false report with regard to gender of child, however to that effect, investigation is almost completed, no previous case pending against her and considering the period of incarceration



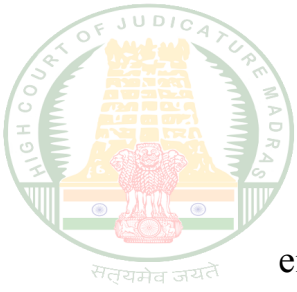
undergone by the petitioner from 25.07.2025, this Court is inclined to grant bail to the petitioner with certain conditions.

WEB COPY

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) into the credit of Crime No.179 of 2025 before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order and on such deposit, the parents of deceased is permitted to withdraw the amount on filing undertaking affidavit and on production of proper identification and acknowledgement. On such deposit, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, in which one surety must be a blood surety for a like sum to the satisfaction of the *District Munsif cum Judicial Magistrate, Kilpennathur, Thiruvannamalai*, 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 on every Saturday at 10.30 a.m. for the period of three months.



WEB COPY

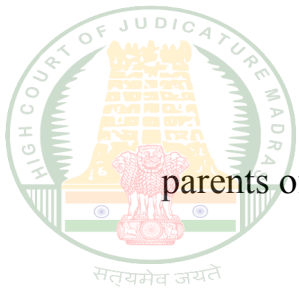
(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

(e) on breach of any of the aforesaid conditions, the learned 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 269 of BNS.

7. Furthermore, as per FIR, due to a false scan report with regard to gender of child, the deceased committed suicide along with a fetus of child. Hence, this Court recommends that it is a fit case to refer, **as per 357(A) (1)(2) and (6) of Victim Compensation Scheme**. The **District Legal Services Authority, Tiruvannamalai**, is hereby directed to refer the matter to **District Collector, Tiruvannamalai** to get compensation of **Rs.1,00,000/- (Rupees one lakh only)** to the parents of the deceased as interim compensation based on the available scheme in the manner known to law within a period of four weeks from the date of receipt of copy of this order. On sanction of the said amount,



parents of deceased are permitted to withdraw the same.

WEB COPY

10-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rpp

To

1. The District Munsif cum Judicial Magistrate, Kilpennathur, Thiruvannamalai.
2. The Inspector of Police, Kilpennathur Police Station, Thiruvannamalai Dt.
3. The Superintendent of Prison, Women Prison, Vellore.
4. The Public Prosecutor, High Court, Madras
5. District Legal Services Authority, Tiruvannamalai.
6. District Collector, Tiruvannamalai.

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.

T.V.THAMILSELVI J.



WEB COPY

CRL OP No. 24681 of 2025



rpp

**CRL OP No. 24681 of
2025**

10-09-2025