

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO(s). 7 OF 2014
(ARISING OUT OF SLP(CRL.)NO.4325 OF 2013)

HEMALATHA

Appellant(s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

O R D E R

Leave granted.

The appellant is in custody for offences punishable under Sections 326, 307, 120-B read with Section 34 of the Indian Penal Code since 17th April, 2012. Rejection of her application for grant of bail by the trial court as also by the High Court, has led to the filing of the present appeal to assail the said orders.

Having heard learned counsel for the parties at some length, we are of the opinion that keeping in view the nature of the offences, allegedly committed by the appellant, her age and the fact that her three minor children are left unattended on account of her incarceration, she deserves to be enlarged from custody.

We accordingly allow this appeal, set aside the orders passed by the courts below, with the direction that she shall be released from custody subject to her furnishing bail bonds in a sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties in the like amount to the satisfaction of the trial court concerned. We further direct that the appellant shall not tamper with the evidence or delay the completion of the trial in any manner.

.....J.
(T.S. THAKUR)

.....J.
(VIKRAMAJIT SEN)

NEW DELHI
DATED 2nd January, 2014.
ITEM NO.46

Court No.6

SECTION IIB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).4325/2013

(From the judgement and order dated 22/09/2012 in CRLP No.5753/2012, of The HIGH COURT OF KARNATAKA AT BANGALORE)

HEMALATHA

Petitioner(s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

(With appln(s) for bail,exemption from filing O.T. and office report)

Date: 02/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. Santosh Paul,Adv.
Mr. C.K. Sasi,Adv.

For Respondent(s) Ms. Anitha Shenoy,Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order:

"We accordingly allow this appeal, set aside the orders passed by the courts below, with the direction that she shall be released from custody subject to her furnishing bail bonds in a sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties in the like amount to the satisfaction of the trial court concerned. We further direct that the appellant shall not tamper with the evidence or delay the completion of the trial in any manner.

|(Mahabir Singh)
|Court Master

|(Veena Khera)
|Court Master

(Signed order is placed on the file)