



CRL OP(MD). No.16212 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16212 of 2023

Mariamammal

... Petitioners/ Accused No.2

Vs

State Rep.by

The Inspector of Police,

Thirumangalam Taluk Police Station,

Madurai District.

Crime No.150 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.S.Sivaprakash, Advocate

For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.150 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 herein, who was arrested on 27.07.2023 for the alleged offence under Sections 323, 324, 302 of IPC, in Crime No.150 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that her younger son namely Sandhanakaruppu was married to one Sumithra. Because of difference of opinion between them, they seperated. On



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07.07.2023, the said Sandhanakarupu went to Sumithra's native place to see his child.

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But in the above said place, trouble arose between Sandhanakaruppu and his mother-in-law namely Mariammal. In the above said complaint, compromise was reached between them. On 27.07.2023 at about 9.00 a.m., again Sandhanakaruppu, went along with his father to Sumithra's house to bring the child, but at that time, both the accused alleged to have sprayed chilli powder and at the instigation, wordy quarrel occurred. But the defacto complainant's husband namely father of Sandhanakarupu tried to control the situation. On that event, wordy quarrel occurred between the husband of the defacto complainant and her son. Out of angry, the defacto complainant's husband alleged to have caused assault to her son. Due to above said assault, her son was taken to the hospital, where he died. On that basis, the case has been registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and did not involve in any offence as alleged by the prosecution .

4.Reading of the First Information Report shows that on the particular date of occurrence, this petitioner along with Sumithra alleged to have sprayed chilli powder on the deceased and the husband of the defacto complainant. Thereafter, the husband of the defacto complainant alleged to have caused assault to his son and due to the above said assault, his son died.



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5. Considering the facts and circumstances of this case, the limited overt act attributed against the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Thirumangalam, Madurai District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
07/09/2023

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07/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.



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4 THE SUPERINTENDENT, CENTRAL WOMEN PRISON, MADURAI,
MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-13327[I] dated 07/09/2023)

ORDER
IN
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Date :07/09/2023

RS//SAR-(07.09.2023) 4P 7C
Madurai Bench of Madras High Court is issuing
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