



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.5196 of 2021

1. Sivan @ Sivanraja
2. Mariammal

... Petitioners/Accused Nos.3 & 7

Vs

State Rep.by
The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam, Madurai District.
(Crime No.1211 of 2020)

... Respondent/Complainant

For Petitioners: Mr.R.R.Kannan,
Advocate.

For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.1211 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A3 and A7, who were arrested on 17.02.2021 for the offences punishable under Sections 147,148,452,323,302,109 and 120(b) of IPC in Crime No.1211 of 2020 on the file of the respondent police, seek bail.

2. The deceased is the mother of A1 and A2 and these petitioners are the son and wife of A1. The case of the prosecution is that due to property dispute A1 and A2 went to the house of the deceased attacked her with deadly weapons and caused injuries, due to which she died. Hence the complaint.

3.The learned counsel for the petitioners would submit that all the other accused were released on bail by the learned Principal Sessions Judge, Madurai in Crl.M.P.Nos. 8020 and 8021 of 2021.

4. The learned Additional Public Prosecutor appearing for the respondent concedes that co-accused in this case were released on bail and the final report has been filed before the concerned Court



and the same has been taken cognizance in PRC 01 of 2021 on 01.03.2021.

5. Taking into consideration the facts and circumstances of the case and also taking note of the fact that investigation is completed, the final report has been filed before the concerned Court and taken cognizance in PRC No.01 of 2021, also the fact that the co-accused in this case were already released on bail and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam, Madurai District and on further condition 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 petitioners shall report before the respondent police daily at 10.30 am., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

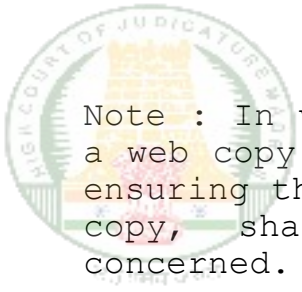
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16/04/2021

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

1. THE JUDICIAL MAGISTRATE, THIRUMANGLAM,
MADURAI DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE SUPERINTENDENT,CENTRAL PRISON, MADURAI.
 4. THE SUPERINTENDENT,CENTRAL PRISON FOR WOMEN,
MADURAI.
 5. THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.
 6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.R.KANNAN, Advocate (SR-3111[I] dated 16/04/2021)

ORDER
IN
CRL OP(MD) No.5196 of 2021
Date :16/04/2021

AAV
MS/PN/SAR-1/16.04.2021/3P.8C