



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/05/2021

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PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6549 of 2021

1. Solaiyammal
2. Suppulkashmi
3. Meenakshi

... Petitioners/Accused No.12-14

Vs

The State Rep. by
The Inspector of Police,
Mandalamanickam Police Station,
Ramanathapuram District.
(Crime No.39/2021).

... Respondent/Complainant

Mallammal

... Petitioner/Intervener,
Defacto Complainant
in Crl.MP (MD) No.3723/2021
in CRL OP (MD) No.6549/2021

For Petitioners : Mr.Vishnuram.G.,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervener : Mr.A.Uthayakumar, Advocate

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

PRAYER :- For Bail in Crime No.39/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused No.12 to 14 are in custody from 06.04.2021 for the offences under Sections 147, 148, 294(b), 323, 324, 302, 307 and 506(ii) of IPC, in Crime No.39 of 2021 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that on 06.04.2021, due to previous motive between the petitioners and the defacto complainant, the petitioners assaulted the defacto complainant's husband and her relatives and caused death to the defacto complainant's husband and injury to her relatives, abused in filthy language and criminally intimidated them.



3. Yesterday, when the matter was called, the submission was made by the learned counsel for the intervenor stating that after the alleged occurrence, tension still exists in that area and therefore, he strongly opposed the petitioners release on bail. This Court directed the learned Government Advocate (Crl.side), to verify the present position of the locality and now, the learned Government Advocate (Crl.side) informed this Court that there is no such tension in that area. He further submitted that the petitioners are women and as per the overt act attributed against them, they are alleged to have assaulted the witnesses, with hands and legs.

4. Considering the period of incarceration of the petitioners and considering the fact that major part of the investigation is over by this time, this Court is inclined to grant bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail on the following conditions:

i) the petitioners shall execute 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 Judicial Magistrate, Kamuthi.

ii) 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.

iii) The petitioners shall appear before the respondent police once in a week i.e on every Monday at 10.30 a.m until further orders.

iv) The petitioners shall not tamper with evidence or witness.

v) the petitioners shall not abscond either during investigation or trial.

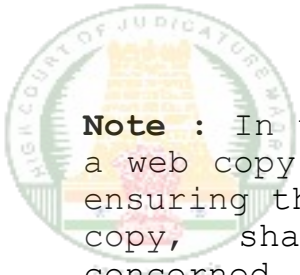
vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
21/05/2021

/ TRUE COPY /

/ /2021

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
TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI.
 2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE INSPECTOR OF POLICE,
MANDALAMANICKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
 5. THE OFFICER INCHARGE,
WOMEN JAIL,
NILAKOTTAI,
DINDIGUL DISTRICT.
- +1 CC to Mr.G.VISHNURAM, Advocate (SR-3714[I] dated 21/05/2021)

ORDER
IN
CRL OP(MD) No.6549 of 2021
Date :21/05/2021

SM/TTA
TE/AKM/SAR-IV : 21/05/2021 : 3P/7C