



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

Date : 19/05/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.6821 of 2021

WEB COPY

Nagammal

... Petitioner/Accused No.3

Vs

State rep by
The Inspector of Police,
Thadikombu Police Station,
Dindigul District,
Crime No.84/2021.

... Respondent/Complainant

For Petitioner : M/s. A .Chandrakumar,
Advocate.
For Respondent : Mr.M.Muthu Manickam,
Government Advocate (Crl.Side)

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

PRAYER :-

Bail in Crime No.84/2021 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner is in custody from 08.05.2021 for the offences under Sections 147, 294(b), 324, 506(i) I.P.C @ 294(b), 324, 307 IPC @ 294(b), 324, 302 IPC in Crime No.84 of 2021 on the file of the respondent police. He seeks bail.

2. The case of the prosecution is that on 23.02.2021 there was wordy quarrel between the petitioner's family and the deceased, who are neighbours. Due to earlier dispute, the first accused and his brother along with two others assaulted the defacto complainant and caused grievous injuries on his head, hands and legs. On 03.03.2021 the injured person, who was taking treatment in the hospital, died.

3.The learned counsel for the petitioner would submit that even though based on the original occurrence, the case was registered for the offences under Sections 147, 294(b), 324, 506(i) I.P.C, subsequently the same was altered into Sections 294(b), 324, 307 IPC. After expiry of 10 days, injured person died in the hospital due to the serious injuries sustained during the occurrence and therefore, the case was further altered into Sections @ 294(b), 324, 302 IPC. The next contention of the learned counsel for the petitioner is that the specific overt act attributed against the petitioner is that the petitioner has alleged to have assaulted the deceased with hands. The learned counsel for the petitioner would



further submit that the first and second accused in this case were arrested and released on bail.

4. The learned Government Advocate appearing on behalf of the respondent police would concede that the first and second accused were released on bail.

5. Considering the overt act attributed against the petitioner and more over, the petitioner being a lady, is entitled for the relief of bail, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on the following conditions:

i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, for a like sum to the satisfaction of the Judicial Magistrate No.II, Dindigul.

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 petitioner 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 petitioner shall not tamper with evidence or witness.

v) the petitioner 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 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]**.

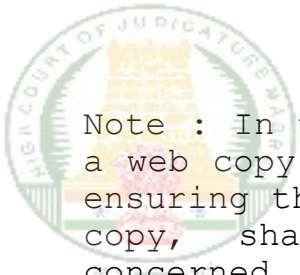
[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

Sd/-
19/05/2021

/ 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 NO.II, DINDIGUL.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
THADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.
4. THE SUPERINTENDENT, THE WOMEN PRISON, NILKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6821 of 2021

Date : 19/05/2021

VB VR SAR IV(20/05/2021) 3P / 6c