



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

Date : 10/11/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.17377 of 2021

Karuthamani @ Murugammal ... Petitioner/Accused No.5

Vs

The state represented by
The Sub-Inspector of Police,
Thirupparangundram Police Station,
Madurai District.
(Cr.No.413 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Arokiya Selva Ramesh.S,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 413 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.5, who was arrested and remanded to judicial custody on 16.09.2020 for the offence punishable under Sections 147, 148, 341, 294(b), 326, 302 IPC, in Crime No.413 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused brutally attacked the defacto complainant. The allegation as against the petitioner is that the petitioner and the other accused restrained the deceased to proceed further. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has not committed any offence as alleged by the prosecution. She is a old lady and aged about 65 years.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that they are opposing seriously for



granting bail to the petitioner as she was very much present in the occurrence place and also restrained the deceased from proceeding further.

5.Considering the nature of the overtact alleged against the petitioner and considering the age of the petitioner and also the facts that the petitioner is in judicial custody from 16.09.2021 and that all other accused were arrested and remanded to judicial custody, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Madurai and on further conditions that;

i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii)the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

iii)the petitioner shall not tamper with evidence or witness.

iv)the petitioner shall not abscond during trial.

v)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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/11/2021

/ 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



TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE SUB INSPECTOR OF POLICE
THIRUPPARANGUNDRAM POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.17377 of 2021

Date :10/11/2021

das

SS/JM/SAR-II/11.11.2021 : 3P/6C