



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/05/2022

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.8792 of 2022

Venkateswari

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
(Crime No.61 of 2022).

... Respondent/Complainant

For Petitioner : Mr.R.Rajaselvan
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.61 of 2022 on the file of the
respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole Accused, who was arrested and remanded to
judicial custody on 15.03.2022 for the offences punishable under
Section 302 of IPC, in Crime No.61 of 2022, on the file of the
respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the
deceased are the sisters. The petitioner demanded mobile phone from
the deceased to communicate her son, the deceased refused to gave
the same. At that time, the petitioner attacked the deceased with
Arivalmanai and caused death. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner has not committed any offence as alleged by the
prosecution. He further submitted that the petitioner is the
innocent person and without any intention, the accident was



happened. He further submitted that the petitioner was taking treatment in Kilpauk Mental Hospital and subsequently she discharged.

4.The learned Additional Public Prosecutor would submit that a major part of the investigation has been completed and also submitted that the petitioner is the mental disordered person.

5.Considering the above facts and circumstances considering the period of incarceration by the petitioner and also the fact that the petitioner and the defacto complainant are close relatives, 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 his executing 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 learned Judicial Magistrate, Veda sandur, Dindigul 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 petitioner shall report before the respondent police daily at 10.30 a.m., and 5.30 pm., until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond 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 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/05/2022

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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.

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- TO
1. The Judicial Magistrate, Vendasandur,
Dindigul District.
 2. The Chief Judicial Magistrate, Dindigul
 3. The Officer Incharge,
Central Women Prison, Madurai.
 4. The Inspector of Police,
Vendasandur Police Station,
Dindigul District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.8792 of 2022
Date : 11/05/2022

KB/GVS/SAR IV(10.05.2022) 3P 6C