



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

Date : 16.06.2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10688 of 2022

1. Pandi
2. Thangaraman

... Petitioners/1 & 2 Accused

Vs

The State represented by
The Inspector of Police,
Sindupatti Police Station,
Madurai District.
(Crime No.51 of 2022).

... Respondent/Complainant

For Petitioners : Mr.S.Poornachandran,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.51 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A.1 & A.2, who were arrested and remanded to judicial custody on 22.03.2022 for the offences punishable under Section 174 Cr.P.C., altered into Sections 114, 201 and 302 IPC, in Crime No.51 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant/second petitioner gave a complaint before the respondent police stating that when his wife took lunch for him and his son, a bull hit her and she was taken to the Government hospital thereafter, she was taken to Meenakshi hospital for further treatment. However, she succumbed to injuries. On investigation, it is revealed that the first petitioner pulled the hair of the deceased and pushed her down, due to which, she died. In order to hide the facts, the second petitioner had given different version in the FIR.



3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 22.03.2022 and that the other accused 3 and 4 were already arrested and released on bail.

4.The learned Additional Public Prosecutor would submit that investigation is almost completed and they are going to file a charge sheet shortly.

5.Considering the above facts and circumstances and also the facts that the petitioners are in judicial custody from 22.03.2022, that investigation is almost completed as stated by the learned Additional Public Prosecutor and that the petitioners are not having any bad antecedents, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam.

(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 petitioners shall report before the committal Court on all working days at 10.30 a.m., until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners 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 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]**.

(vi)If the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
16/06/2022

/ TRUE COPY /

16/06/2022
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.

TO

1. THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
SINDUPATTI POLICE STATION,
MADURAI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.POORNACHANDRAN, Advocate (SR-5626[I] dated 16/06/2022)

ORDER
IN
CRL OP(MD) No.10688 of 2022
Date :16/06/2022

csm
USK/VR/SAR-III/16.06.2022/3P/7C