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CrI.OP.No.20561 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.OP.No.20561 of 2023

Muniyammal

...Petitioner

Vs.

The State Rep by
The Inspector of Police,
Melmaruvathur Police Station,
Chengalpattu.
(Crime No.156 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to release the petitioner on bail in connection with the case in Crime No.156 of 2023 on the file of the respondent Police.

For Petitioner : Ms.S.Valarmathi

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2023 for the offence punishable under Sections 294 (b), 323, 324, 341 and 506 (ii) of I.P.C @ 302 I.P.C in Crime No.156 of 2023 on



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the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that petitioner was not responsible for the death of the deceased Kuppan. It is alleged in the First Information Report that petitioner had attacked the deceased only with hands. She is falsely implicated as accused in Crime No.156 of 2023 for the offence under Sections 294 (b), 323, 324, 341 and 506 (ii) of I.P.C @ 302 I.P.C. Petitioner is in judicial custody from 30.06.2023. Thus, she seeks bail.

3.The learned Additional Public Prosecutor submitted that there is a previous enmity between the family of the defacto-complainant, deceased and accused in this case in connection with pathway. On 27.06.2023, at about 09.30 a.m., defacto-complainant's brother asked petitioner's husband Venu about the pathway dispute, Venu scolded defacto-complainant's brother in filthy language. On seeing that defacto-complainant's husband Kuppan asked as to why he was speaking so bad. Angered at this, petitioner/Muniammal, Poongavanam, Saravanan had started attacking the deceased and defacto-complainant's brother with



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hands and wooden log. Saravanan had hit Kuppan with iron rod on his head. As a result, Kuppan suffered grievous injury and died.

4.Considered the rival submissions and perused the records.

5.It appears from the First Information Report allegations that accused Saravanan had caused fatal injury to the deceased Kuppan. Petitioner is in judicial custody from 30.06.2023. The substantial part of investigation might have been completed by this time. Thus, this Court is inclined to grant bail to the petitioner with 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 **The Judicial Magistrate-II, Madhuranthagam** and on further conditions 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.



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[b] the petitioner shall report before the respondent Police daily at 10.00.a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].

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

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To

- 1.The Judicial Magistrate-II,
Madhuranthagam.
- 2.The Inspector of Police,
Melmaruvathur Police Station,
Chengalpattu.
- 3.Central Prison,
Puzhal (woman), Chennai.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

ep/Apd

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