



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/02/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.2352 of 2023

Vengatachalam

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
Crime No.164 of 2022.

... Respondent/Complainant

For Petitioner : M/s.JEGADEESH PANDIAN M,
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

PRAYER :- To release the Petitioners/Sole Accused on bail in SC.No.48 of 2023 on the file of the Learned Principal District and Sessions Judge,Trichy.

ORDER : The Court made the following order :-

The petitioner/sole accused , who was arrested and remanded to judicial custody on 25.10.2022 for the offences punishable under Sections 341,294(b), 307 of IPC @ 341,294(b) and 302 of IPC in Crime No.164 of 2022 on the file of the respondent police, seeks bail.

2. The deceased sudha is the mother-in-law of the petitioner. The case of the prosecution is that the petitioner and Lavanya/ daughter of the deceased are husband and wife and after marriage the petitioner was residing in the house of his wife and the deceased sent lavanaya to Coimbatore to work in a spinning mill and hence the petitioner got angry, due to which on 25.10.2022 the petitioner waylaid the deceased and attacked her with aruval on the neck, head, shoulder and chest, due to which she sustained multiple injuries and died. Hence the case.



3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is in custody from 25.10.2022. He would further submit that investigation has been completed and the charge sheet has been filed before the learned Judicial Magistrate Thuraiyur and the same has been taken cognizance in PRC No.30 of 2022 and thereafter committed to the Court of the learned Principal District and Sessions Judge, Trichy in S.c. No.48 of 2023 and later it has been transferred to the file of the Mahila Court, Trichy.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has waylaid his mother-in-law and attacked her with a ruval and inflicted multiple injuries on her body, due to which she sustained injuries and died on the spot. He would also submit that the petitioner is an influential person and he is also threatening the witnesses, hence he objected to grant bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioner is ready to abide by any stringent conditions that may be imposed on him by this Court and he is also ready to stay anywhere away from his native place. He would further submit that no previous case is pending against the petitioner.

6. Heard. Perused the materials available on record including the First Information Report.

7. Taking into consideration of the facts and submissions made by the learned counsels and also taking into consideration the period of incarceration and also taking note of the fact the final report has been filed before the concerned Court, this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Mahila Court, Trichy and on further conditions that:

[b] 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.

[c] the petitioner shall report before the Mahila Court, Trichy on all working days at 10.30 a.m., for a period of two weeks and thereafter on the dates fixed by the learned trial Judge. Further the petitioner shall not enter the jurisdiction limit of the respondent police until further orders



[d] the petitioner shall not commit any offences of nature.

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

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, TRICHY.

2 THE JUDGE, MAHILA COURT, TRICHY.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
JAMBUNATHAPURAM POLICE STATION,
TRICHY DISTRICT.

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

COPY TO:

1 THE JUDICIAL MAGISTRATE, THURAIYUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

+1. CC to Mr.M.JEGADEESH PANDIAN, Advocate SR.No.1841

ORDER IN

CRL OP(MD) No.2352 of 2023

Date :06/02/2023

SA/SSS/SAR. /06.02.2023/3P/9C

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