



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6214 of 2023

Manchu @ Manju

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Panavadalichatiram Police Station,
Tenkasi District.
Cr.No.15/2023.

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.K.Prabhu, Advocate.

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

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

PRAYER :-

For Bail in Crime No.15/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 26.02.2023, for the offences punishable under Sections 294(b), 302, 506(ii) of I.P.C @ Sections 109, 120(b), 341, 294(b), 302 and 506(ii) of I.P.C, in Crime No.15 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 08.02.2023 at about 07.00 pm., the defacto complainant and the deceased namely Manikandan, after consuming alcohol were returning to their house, while they were travelling near Panavadalichatiram in their two-wheeler, two unidentifiable persons came in a two-wheeler and wrongfully restraining the deceased and attacked the deceased with aruval and caused death. The deceased is the maternal uncle of the defacto complainant by name Natarajan and he gave the complaint.

3. Heard both sides and perused the materials available on record including the First Information Report.



4. It is seen that there was previous enmity between the first accused's father and the deceased. The petitioner herein is arraigned as Accused No.3. She is none other than own sister of the first accused. The petitioner along with other accused conspired together to do away the life of the deceased. As far as A.1 is concerned, he is having 33 previous cases and he is a habitual offender. As far as the petitioner is concerned, she is the sister of the first accused and she is nothing to do with the alleged offence.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner from 26.02.2023, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankovil, Tenkasi District 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 respondent police daily at 10.30 A.M., and 05.30 P.M., until further orders.

[d] the petitioner shall not commit any offences of similar 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/-

03/04/2023

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03/04/2023

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

PS

<https://www.mhc.tn.gov.in/judis>



TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL, TENKASI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE OFFICER INCHARGE, SUB JAIL, KOKIRAKULAM.
- 4 THE INSPECTOR OF POLICE, PANAVALALICHATIRAM POLICE STATION,
TENKASI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.PRABHU, Advocate (SR-5351[I] dated 03/04/2023)

ORDER

IN

CRL OP(MD) No.6214 of 2023

Date :03/04/2023

RS/SSS/SAR-(03.04.2023) 3P 7C