



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

Date : 10/04/2023

PRESENT

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

CRL OP(MD) . No.6472 of 2023

Ramar ... Petitioner/Accused Rank No.2
Vs

The State rep.by,
The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
Crime No. 32 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Pandian.M, 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. 32 of 2022 on the file of the respondent police.

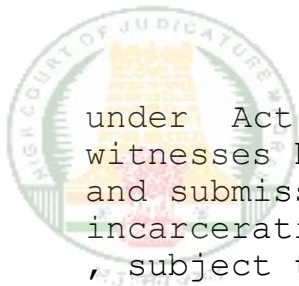
ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 04.07.2022 for the offences under sections 449,302,392 of IPC in Crime No.32 of 2022 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 01.07.2022 at about 11.00 am., while the defacto complainant was in house he found his wife dead, hence the case.

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

4. It is seen that there are totally three accused in this case and the petitioner herein is arrayed as A2, who is the friend of A1. A1 and A3 are brother and sister and they are also the neighbour of the deceased. The accused persons trespassed into the house of the deceased and the first accused had strangulated the deceased and had taken away the jewels and cash. In so far as the petitioner herein is concerned, he along with A1 had trespassed into the house and committed the offence. Further the first accused was detained



under Act.14 of 1982. In this case trial commenced and some witnesses have been examined. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

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[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 blood related sureties each for a like sum to the satisfaction of the Mahila Court, Thoothukudi 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, Thoothukudi on all working days at 10.30 A.M. and 5.30P.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/-
10/04/2023

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10/04/2023

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

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TO

1. THE JUDGE, MAHILA COURT, THOOTHUKUDI.

2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

3. THE INSPECTOR OF POLICE,
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.PANDIAN.M, Advocate (SR-5596[I] dated 10/04/2023)

ORDER

IN

CRL OP(MD) No.6472 of 2023

Date :10/04/2023

RK/VR/SAR-(10/04/2023) 3P/6C