



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

Date : 19/04/2023

PRESENT

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

CRL OP(MD) . No.7234 of 2023

Mukkayi

... Petitioner / Accused No.4

Vs

State Through
The Inspector of Police,
Guzhiliamparai Police Station,
Dindigul District.
(In Crime No.23 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Abdul Rahuman.S, 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.23 of 2023 on the file of the Respondent Police.

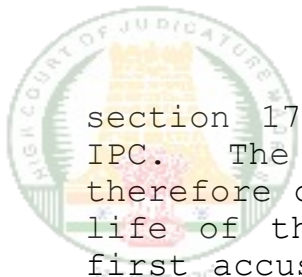
ORDER : The Court made the following order :-

The petitioner /A4 who was arrested and remanded to judicial custody on 11.02.2023 for the offences under sections 174 Cr.P.C @ 302 of IPC in Crime No.23 of 2023 on the file of the respondent police seeks bail.

2. The defacto complainant in this case is the Village Administrative Officer of Alampatti Village, Guziliamparai, Taluk. On 09.02.2023 at about 5.30 pm., while he is on duty he a received a phone call stating that an unidentified body was found floating in the water contained unused rock quarry belonging Chettinad Cement, hence the case.

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

<https://www.mhc.tn.gov.in/judis> It is seen that initially a case was registered under



section 174 of Cr.P.C and subsequently altered to section 302 of IPC. The first accused had illegal intimacy with the petitioner therefore deceased and the husband of A1 have planned to do away the life of the first accused. When it came to the knowledge of the first accused and the petitioner herein and as such they planned to do away the life of the deceased. As per the confession of the first accused all the accused persons murdered the deceased by attacking him with wooden log and knife. Thereafter they died hands and legs with stones and thrown away the body into the unused quarry. As far as the petitioner is concerned she also assisted the first accused in order to do away the life of the deceased. she had informed the deceased and directed to collect money from the first accused. Further co-accused were arrested and released on bail. Taking into consideration 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:

[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 Additional District Munsif cum Judicial Magistrate, Vedasanthur 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. 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/-

19/04/2023

/ TRUE COPY /

19/04/2023

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



To

1.The Additional District Munsif cum Judicial Magistrate,
Vedasandur.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Guzhiliamparai Police Station,
Dindigul District.

4.The Officer Incharge,
Special Prison for Women,
Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.ABDUL RAHUMAN.S, Advocate (SR-6130[I] dated 19/04/2023)

ORDER

IN

CRL OP(MD) No.7234 of 2023

Date :19/04/2023

ED/SSS/SAR- (19/04/2023) 3P 7C