



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

Date : 24/04/2023

PRESENT

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

CRL OP(MD) . No.7502 of 2023

1. Diana Mary

2. Innasi Ammal

... Petitioners / Accused No.1 & 2

Vs

State represented by
The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
(Crime No.90 of 2023.)

... Respondent / Complainant

For Petitioner s: M/s.Mohammad Kasim.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.90 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A1 and A2 who were arrested and remanded to judicial custody on 06.03.2023 for the offences under sections 294 (b),324,506(ii) and 302 of IPC in Crime No.90 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the first petitioner and the deceased are husband and wife. The deceased is a drunkard and he in an inebriated condition very often used to quarrel with his wife hence on 05.03.2023 at about 2.00 am., while the deceased was sleeping at the door of the house of the second petitioner, who is the mother of the first petitioner, the petitioners said to have poured hot water over the deceased, due to which he sustained some injuries, admitted in the hospital and later he died, hence the



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

4. It is seen that there are totally two accused in this case and the petitioners herein are arrayed as A1 and A2. The first petitioner is the wife of the deceased and the second petitioner is the mother-in-law of the deceased. The deceased used to quarrel very often with the first petitioner in an inebriated condition and during quarrel the first accused said to have poured hot water on the deceased. The occurrence said to have taken place on 05.03.2023 and after 15 days the injured died. Initially First Information Report came to be registered for the offences under sections 294(b), 324 and 506(ii) of IPC and later altered to sections 294(b), 324, 506(ii) and 302 of IPC. 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 petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, 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 petitioners shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

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

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

[f] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



CRL OP(MD)



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

sd/-
24/04/2023

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

AAV

To

1.The Judicial Magistrate No.VI,
Tiruchirappalli.

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

3.The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.

4.The Officer Incharge,
Special Women Prison,
Tiruchirappalli.

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

+1 CC to M/s.MOHAMMAD KASIM.S, Advocate (SR-6405[I] dated
24/04/2023)

ORDER

IN

CRL OP(MD) No.7502 of 2023

Date :24/04/2023

ED/SSS/SAR- (24/04/2023) 3P 7C