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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2023

PRESENT

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

CRL OP(MD) . No.8140 of 2023

Manjula Devi

... Petitioner/Accused No.2

Vs

The State represented by
The Inspector of Police,
Fort Police Station,
Trichy City.
Crime No. 292 of 2023.

... Respondent/Complainant

For Petitioner : M/s.M.Balamurugan
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. 292 of 2023 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 15.03.2023 for the offences under sections 448 and 302 of IPC in Crime No.292 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to previous enmity with respect of running Agal Deepam shop on 15.03.2023 the accused persons came to the house of the defacto complainant and the first accused attacked the husband of the defacto complainant with aruval on the left side of the chest and he fell down and died, hence the case.

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



dispute in respect of putting shop in front of the temple. Therefore on the date of occurrence the first accused along with this petitioner entered into the house of the deceased and scolded in filthy language and also attacked with aruval due to which he sustained injuries and died. In so far as the petitioner is concerned there is no specific overt act as against her. 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 Judicial Magistrate No.I, 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 respondent police daily 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/-
28/04/2023

/ TRUE COPY /

28/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1 THE JUDICIAL MAGISTRATE NO.I
TRICHY.

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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3 THE INSPECTOR OF POLICE
FORT POLICE STATION, TRICHY CITY.

4 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, TRICHY.

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

+1 CC to M/s.BALAMURUGAN M, Advocate (SR-6937[I] dated 28/04/2023)

ORDER

IN

CRL OP(MD) No.8140 of 2023

Date :28/04/2023

SS/SSS/SAR /28/04/2023/3P/7C