



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

Date : 30/06/2023

PRESENT

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

CRL OP(MD). No.11784 of 2023

WEB COPY

Athilakshmi

... Petitioner/Accused No.3

Vs

State Rep.by
The Sub Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
Crime No.74 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.Anandaraj, Advocate
for Mr.C.Venkatesh, 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.74 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3 who was arrested and remanded to judicial custody on 27.05.2023 for the offence under section 302 of IPC @ 302, 120(B) and 109 of IPC in Crime No.74 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 25.05.2023 the deceased was found dead in his land, hence the case.

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

4. There are totally five accused in this case and the petitioner herein is arrayed as A2. The deceased is the father of the petitioner. She along with other accused engaged hooligans and murdered the deceased due to property dispute. Further it is seen that the deceased had two wives and the petitioner herein is born to another wife. 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, Cheranmahadevi 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/-

30/06/2023

/ TRUE COPY /

30/06/2023

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE SUB INSPECTOR OF POLICE, MUKKUDAL POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.VENKATESH, Advocate (SR-9868[I] dated 30/06/2023)

ORDER IN

CRL OP(MD) No.11784 of 2023

Date :30/06/2023

RS/VR/SAR-(30.06.2023) 2P 7C

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