



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.11812 of 2023

1. Vasantha
2. Radhika
3. Prabha @ Prabhavathi
4. Geetha
5. Vinothini

... Petitioner/Accused No.1 to 5

Vs

State Rep.by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjur District.
(Crime No.241 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Ilayaraja R,
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.241 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A1 to A5 who were arrested and remanded to judicial custody on 24.05.2023 for the offences under sections 147,341,294(b),352,302 of IPC in Crime No.241 of 2023 on the file of the respondent police seek bail.

2.The case of the prosecution is that the father of the defacto complainant had acquaintance with one Vasantha. It is further alleged that mother of the defacto complainant had suspicion over the relationship of the defacto complainant father and the said Vasantha and due to that motive there was frequent quarrel between them. Hence on 23.05.2023 at about 4.00 pm., the defacto complainant and her wife came to his mother's house and at that time there was quarrel and during such time they pulled the deceased down, hence one fell down and died, 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 six accused in this case and the petitioners herein are arrayed as A1 to A5. It is seen that the husband of the first accused had illegal intimacy with the deceased and when it was questioned by the petitioner herein there was a quarrel between them and attacked each other, due to which she sustained injuries and died. 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.II, Thanjavur 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 four 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].

[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 NO.II, THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN, TRICHY.

4 THE INSPECTOR OF POLICE, THANJAVUR TALUK POLICE STATION,
THANJUR DISTRICT.

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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-9924[I] dated 30/06/2023)

ORDER

IN

CRL OP(MD) No.11812 of 2023

Date :30/06/2023

RS/VR/SAR-(30.06.2023) 3P 7C