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

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15910 of 2023

Uma

... Petitioner/Unnamed Accused

Vs

The State represented by
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
Crime No.631 of 2023.

... Respondent/Complainant

For Petitioner : Mr.T.Sekar, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.631 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Unnamed Accused herein, who was arrested on 05.07.2023 for the alleged offence under Sections 147, 148, 341, 342, 294(b), 302 and 149 IPC @ Under Section 147, 148, 341, 342, 294(b), 302, 149 and 109 IPC, in Crime No.631 of 2023, on the file of the respondent Police, seeks bail.



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2. The case of the prosecution the defacto complainant lodged a complaint stating that her brother's wife died, so she brought one Gopi @ Elango to her home and taking care. In 2020, one Raja was murdered by Babu @ Anandha Babu. The issue arose between that Babu and Gopi over spending money for the murder case. One Dinesh was talking to her second daughter through mobile phone. Later, the said Dinesh came to their street and on coming to know the above said relationship and contact, Gopi assaulted Dinesh. Similarly, one Ilaiyabharathi, who is cousin brother of Gopi was assaulted by Babu. Because of the above said issue, there was enmity between the said Babu and Gopi. Because of the above said enmity, Babu was planning to murder Gopi. On coming to know about the above said plan, the defacto complainant advised to Gopi not to indulge any criminal activities and she will take care. On 02.07.2023 at about 5.00 p.m., the said Gopi was going to Ukkadai to deliver vessels through his two wheeler. Even after long time, he did not return. At about 8.00 p.m., she contacted Gopi and the said Gopi informed her that he entered into her street. But when he was coming near rice godown, the accused persons intercepted the said Gopi, caused assault with aruval and other deadly weapons and caused his death. All the accused persons ran away from the place on gathering of neighbours. On the basis of the above, the case was registered against several persons and this petitioner is arrested and remanded to judicial custody.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent and is no way connected with the alleged occurrence. The petitioner is in judicial custody from 05.07.2023. This petition is filed on the ground that even as per the allegation made in the First Information Report, no specific overt act is attributed against her. Hence, he prays to release the petitioner on bail.

4. The learned Additional Public Prosecutor would submit that on the instigation and abetment, financial support made by this petitioner for the above said murder was committed by the accused Nos.1 to 6 mentioned in the First Information Report. According to him, the petitioner does not deserve any consideration.

5. Reading of the CD file shows that the petitioner alleged to have abetted the commission of murder and also financially helped the co-accused. Over petty issue only, the above said murder said to have taken place.

6. Considering the facts and circumstances of this case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Papanasam, Thanjavur District*, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
04/09/2023

/ TRUE COPY /

04/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
AMMAPET POLICE STATION,
THANJAVUR DISTRICT
- 4 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN AT TRICHY.



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

+1 CC to M/s.T.SEKAR, Advocate (SR-13168[I] dated 04/09/2023)

ORDER
IN
CRL OP(MD) No.15910 of 2023
Date :04/09/2023

SS/04/09/2023/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023