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

Date : 12/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16507 of 2023

Mahendiran

... Petitioner/ Accused No.3

Vs

The State represented by
The Sub-Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
Crime No.193 of 2023.

... Respondent/Complainant

For Petitioner : Mr.V.Angusamy, 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.193 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/3rd accused herein, who was arrested on 20.07.2023 for the alleged offence under Sections 302 and 201 IPC, in Crime No.193 of 2023 on the file of the respondent Police, seek bail.



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19.07.2023 at about 6.30 a.m., her younger daughter namely Abirami returned to house from Chennai. At about 10.20 a.m., her elder daughter informed her over phone that Abirami sent a text message stating that she will commit suicide. So the defacto complainant went to her house at about 11.00 a.m., at that time, the house door was locked inside, after that, with help of others, she broke open the lock and saw that her younger daughter Abirami dead by holding a knife in her right hand. Actually, there was love affair between the deceased Abirami and one Mugesh, which was opposed by the defacto complainant, so the said Abirami refused to talk with said Mugesh, but the said Mugesh continuously tortured her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person. The specific allegation against the petitioner is that he had thrown away the small bag entrusted to him by accused no.2, which contains the blood stained cloths of first accused.

4. Perusal of record shows that the first accused and the deceased have fallen in love with each other. At one point of time, the said Abirami started breaking the relationship, frustrated over which, the first accused has often indulged in fight with the deceased Abirami. On 19.07.2023 at about 11.00 a.m., the first accused by using a sharp knife stated to have slit the throat of Abirami and thereby caused her death.



After that, the first accused called his father over mobile phone and informed about the crime, committed. Having apprehended the custodial interrogation, the second accused managed to have helped his son to escape from the scene of occurrence and the petitioner/third accused had thrown away the bag contained blood stained cloths of first accused into the river.

5.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.

6.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) each with two sureties each for a like sum to the satisfaction of the learned *Judicial Magistrate, Thiruvaiyaru, 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/-
12/09/2023

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12/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU



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- 1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUB INSPECTOR OF POLICE
NADUKAVERI POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-13525[I] dated 12/09/2023)

ORDER
IN

CRL OP(MD) No.16507 of 2023

Date :12/09/2023

SS/12/09/2023/4P/7C

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