



Crl.O.P.No.31501 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31501 of 2024

1.Rajamani

2.Sivaranjini

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
(Crime No.230 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in Crime No.230 of 2024, on the file of the respondent Police.

For Petitioners : Mr.C.Prabakaran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.230 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 329(4), 296(b), 115(2), 118(1), 127(2), 109, 351(3) of BNS 2023, r/w Section 4 of T.N. Prohibition of



Crl.O.P.No.31501 of 2024

Harassment of Women Act, 2002 @ 191(2), 191(3), 329(4), 296(b), 115(2), 118(1), 127(2), 103, 351(3) of BNS 2023, r/w Section 4 of T.N. Prohibition of Harassment of Women Act, 2002, is on board for consideration.

2. The incarceration of the petitioners being from 02.11.2024 pleading innocence on their part of the petitioners and false implication in the case, the learned Counsel for the petitioners seeks the indulgence of this Court. He also submits that the first petitioner is the mother of A1 and the second petitioner is A1's cousin sister, and there are no specific allegations against these petitioners as if they assaulted the victim. He further submitted that the incident was happened on 31.10.2024 and the deceased had died on 01.11.2024. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this court. Hence, he prayed for bail.

3. The case of the prosecution as put forth by the learned Government Advocate (Crl.Side) appearing for the respondent police, opposing for grant of bail, is that due to previous enmity between the petitioners and the defacto complainant's family, the petitioners along with other accused trespassed into the house of the defacto complainant and assaulted the deceased with knife, wooden



CrI.O.P.No.31501 of 2024

log and also abused him with filthy language. Thereafter, the deceased was taken to the Thanjavur Medical College & Hospital for treatment. A case was registered in Crime No.230 of 2024, under Sections 191(2), 191(3), 329(4), 296(b), 115(2), 118(1), 127(2), 109, 351(3) BNS and Section 4 of TNPHW Act. Later, the victim succumbed to the injuries on 01.11.2024 at Thanjavur Medical College and Hospital and the case was altered under Sections 191(2), 191(3), 329(4), 296(b), 115(2), 118(1), 127(2), 103, 351(3) BNS and Section 4 of TNPHW Act.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, including the counter filed by the respondent, and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **one surety**, each for a like sum to the satisfaction of the learned Judicial Magistrate – Additional Mahila Court, Ariyalur and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



CrI.O.P.No.31501 of 2024

obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned 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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

19.12.2024

drl



WEB COPY



Crl.O.P.No.31501 of 2024

A.D.JAGADISH CHANDIRA., J.

drl

To

1. The Judicial Magistrate – Additional Mahila Court,
Ariyalur.
2. The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
3. The Superintendent,
Women Prison, Trichy
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.31501 of 2024

19.12.2024