



CRL OP(MD). No.44 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.44 of 2024

Rani,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Crime No.359 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.SIVABALAN, Advocate
for Mr.G.ARAVINTHAN, 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.359 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 07.11.2023 for the offence punishable under Sections 147, 363, 368, 302, 120B and 109 of I.P.C., in Crime No.359 of 2023, on the file of the respondent Police, seeks bail.

<https://www.mhc.tn.gov.in/judis> 2. The case of the prosecution is that due to money dispute between the



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petitioner and the defacto complainant, a case has been registered against the petitioner and other accused persons by the respondent Police.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that there is no previous case pending against the petitioner.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on her executing 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 No.III, Tirunelveli and on further conditions that:

(a) 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;

(b) the petitioner is directed to appear before the respondent police daily at 10.30 A.M. and 05.00 P.M, until further orders;



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(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
03/01/2024

/ TRUE COPY /

04/01/2024
Sub-Assistant Registrar
(C.S. I / II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO
1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

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



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3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-84[I] dated 03/01/2024)

ORDER IN
CRL OP(MD) No.44 of 2024
Date :03/01/2024

SA/SAR. /04.01.2024/4P/C

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