



CRL OP(MD).No.4691 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.4691 of 2024

Rema

... Petitioner/ Accused No.1

Versus

State Rep. by
The Inspector of Police,
Nachiyarkovil Police Station,
Thanjavur District.
(Cr.No.138 of 2024)

...Respondent/ Complainant

For Petitioner : Mr.U.Antony Santhosh
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.138 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime



CRL OP(MD).No.4691 of 2024

No.138 of 2024 for the offence under Sections 341, 294(b), 352, 307 IPC r/w. 25(1-A) of Arms Act, and remanded her into judicial custody on 24.02.2024. Therefore, the petitioner has filed this petition seeking bail.

2. Totally, there are four accused in this case. The petitioner, who is arrayed as A1, is the first wife of one Ravanan. A2 and A3 are sons and A4 is the relative of the petitioner. The defacto complainant is the second wife of the said Ravanan. The case of the prosecution is that in order to grab the property from the defacto complainant, on 24.02.2024, the petitioner along with other accused has assaulted the defacto complainant with aruval.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. However, she has been arrested and she is languishing in jail from 24.02.2024. Therefore, she prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner is having two previous cases, out of which, one case is relating to 302 IPC offence. However, he fairly submits that no one has been injured in the said occurrence.



CRL OP(MD).No.4691 of 2024

WEB COPY

5. Considering the facts and circumstances of the case, the period of incarceration and also considering the fact that no one has been injured in the said occurrence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall stay at Usilampatti and appear before the Inspector of police, Usilampatti Police Station, daily at 10.30 a.m. for a period of 15 days and thereafter shall appear as and when required by the respondent police. She has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses. She shall



CRL OP(MD).No.4691 of 2024

be available for the trial as well.

WEB COPY

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
02/04/2024

/ TRUE COPY /

02/04/2024
Sub-Assistant Registrar()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
KUMBAKONAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
NACHIYARKOVIL POLICE STATION, THANJAVUR DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
USILAMPATTI POLICE STATION, USILAMPATTI.



CRL OP(MD).No.4691 of 2024

+ 1 CC TO Mr.U.Antony Santhosh, Advocate IN SR No.4117 dated 03/04/2024

ORDER

IN

CRL OP(MD) No.4691 of 2024

Date :02/04/2024

SS/SAR- /02/04/2024/5P/8C

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