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CRL OP(MD). No.6409 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6409 of 2024

Muthaiya,

... Petitioner/ Accused

Vs

The Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.
Crime No.95/2024.

... Respondent/ Complainant

For Petitioner : Mr.M.SURESH,
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.95 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 07.03.2024 for the alleged offence under Section 302 of IPC in Crime No.95 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the husband of the deceased. On the date of occurrence, there was a wordy quarrel between the husband



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and wife, due to which, petitioner is said to have assaulted his wife with a hammer, as a result, she died.

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3.The learned counsel for the petitioner submits that the petitioner is aged about 63 years and he is also having three children; one daughter is married and other two daughters are depending on the petitioner. He is languishing in jail for more than 50 days.

4.The learned Additional Public Prosecutor appearing for the respondent has strongly objected for grant of bail that the petitioner is said to have assaulted his wife with a hammer and thereby, she lost her life.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, 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 on the following conditions:-

i) The petitioner shall execute 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 Court No.III, Dindigul.

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



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proof of their residence address;

iii) The petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

iii) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

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

sd/-
25/04/2024

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25/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO
1 THE JUDICIAL MAGISTRATE NO.III,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.

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



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4 THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER IN
CRL OP(MD) No.6409 of 2024
Date :25/04/2024

SA/SAR. /25.04.2024/4P/6C

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