



CRL OP(MD). No.6906 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.6906 of 2024

Uma

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.240/2024).

... Respondent/Complainant

For Petitioner : M/s.S.Prabha, Advocate
for Mr.S.Manojkumar, Advocate
For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.240/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 29.04.2024, for the offence under Sections 294(b), 324, 427, 506(ii), 307 IPC in Crime No.240 of 2024 on the file of the respondent police, seeks bail.

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



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2. The case of the prosecution is that due to previous motive, on 23.04.2024 at about 06.00 p.m., the accused persons abused and assaulted the defacto complainant and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is arrayed as A2. She is an innocent person and she has not committed any offence as alleged by the prosecution. However, she is languishing in jail from 29.04.2024. The injured has been discharged from the hospital. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police strongly opposes for grant of bail to the petitioner. However, he conceded that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with some stringent conditions.

6. 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 learned Judicial Magistrate, Thiruvaiyaru and on further conditions that :-

a) the sureties shall affix their photographs and Left Thumb Impression in the



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- surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;
- b) the petitioner shall report before the respondent Police Station daily 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 is 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 229A IPC.

sd/-
22/05/2024

/ TRUE COPY /

23/05/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO செய்து அளித்தல்

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1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

4 THE SUPERINTENDENT, SPECIAL PRISON FOR WOMEN, TRICHY.

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

ORDER

IN

CRL OP(MD) No.6906 of 2024

Date :22/05/2024

RS//SAR-(23.05.2024) 4P 6C

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