



in Crl.O.P(MD)No.7710/2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). Nos.7710 & 7762 of 2024

1. Jeyaprakash

2. Madhusuthanan

.... Petitioners / Accused Nos. 1 & 3
in Crl.O.P(MD)No.7710/2024

1. Madhanagopal

.... Petitioner / Accused No.4
in Crl.O.P(MD)No.7762/2024

Vs

The Inspector of Police,
Checkanurani Police Station,
Madurai District.
(Crime No.104/2024.)

... Respondent/Complainant in both petitions

In Crl.O.P(MD)No.7710/2024

For Petitioners	: Mr.S.M.P.Amalan,Advocate
For Respondent	: Mr.S.Ravi Additional Public Prosecutor

In Crl.O.P(MD)No.7762/2024

For Petitioner	: Mr.M.Karunanithi,Advocate
For Respondent	: Mr.S.Ravi Additional Public Prosecutor



in CrI.O.P(MD)No.7710/2024

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

PRAYER :- For Bail in Crime No.104 of 2024 on the file of the respondent police.

ORDER : The Court made the following common order :-

The petitioners, who were arrested and remanded to judicial custody on 13.03.2024 for the alleged offence under Sections 174 of Cr.P.C @ 147, 201, 302 and 120 (B) of IPC in Crime No.104 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is the daughter of the deceased. After investigation, the defacto complainant was arrayed as A2 in this case. A1 and A2 are the husband and wife. A3, A4 and A5 are the friends of A1. The deceased was working in the canteen of TNSTC, Palanganatham Branch on compassionate grounds. The husband of the deceased died before 29 years. A1 and A2 are living at Nagamalai Pudukottai. The deceased alone stayed at Thenkallupatti Village. The deceased had extra marital relationship with one Sivankalai and they were living together. It was objected to by A1 and A2. But the deceased did not care for it and also refused to transfer her properties in favour of A2. Hence, at the instigation of A2, A5 came to the house of the deceased, quarrelled with her and also



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murdered her by strangulating.

3.The learned counsel for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and they are languishing in jail from 13.03.2024. Hence, he prays for bail to the petitioners.

4.The learned Additional Public Prosecutor has strongly objected for grant of bail on the ground that at the instigation of A2, the petitioners and A5 unlawfully assembled in the occurrence place and also murdered the deceased by strangulating. He further submitted that in this case, investigation has been completed.

5 Considering the facts and circumstances of the case and considering the fact that in this case, investigation has been completed and also taking note of the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioners are ordered to be released on bail on their 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 Judicial Magistrate No.II,

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



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Usilampatti and on further conditions that :-

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioners shall report before the respondent police daily at 10.30 a.m, until further orders.
- c) the petitioners shall not abscond either during investigation or trial.
- d) the petitioners 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].



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

sd/-
24/05/2024

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24/05/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
USILAMPATTI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MP AMALAN, Advocate (SR-5801[I] dated 24/05/2024)



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+1 CC to M/s.M. KARUNANITHI, Advocate (SR-5761[I] dated 24/05/2024)

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ORDER
IN

CRL OP(MD). Nos.7710 & 7762 of 2024

Date :24/05/2024

PKP/24.05.2024/ 6P/ 8C

Madurai Bench of Madras High Court is issuing certified
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