



CRL OP(MD). No.7732 of 2024 and

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.7732 of 2024

and

CrI.MP(MD) No.5676 of 2024

Suseela Devi

... Petitioner/1st Accused

Vs

The Inspector of Police,
Thallakulam Police Station (Crime),
Madurai.

Crime No.284 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (CrI.Side)
For Intervenor : Mr.P.Suresh, Advocate

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

PRAYER :-

For Bail in Crime No.284 of 2024 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 13.03.2024, for the offence under Sections 406 and 420 of IPC, in Crime No.284 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the second wife of one Mariappan, who was a Government servant. While, he was in service in the



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year 2015, he died. The said Mariappan had two wives. The defacto complainant has borrowed a sum of Rs.1,00,000/- from the petitioner. The petitioner introduced A3 to the defacto complainant and A3, who is a broker has arranged to get the service benefits of the defacto complainant's husband and the amount has also been credited to the defacto complainant's Bank account. Thereafter, the petitioner along with others forcibly took the defacto complainant to the Bank and withdrew the entire monetary benefits from her account. Hence, the complaint.

3. The learned counsel for the petitioner submits that the earlier application filed by the petitioner in Crl.OP(MD) No.6053 of 2024 was dismissed by this Court on 25.04.2024. The petitioner is languishing in jail for the past 75 days. The petitioner has moved second bail application in the summer vacation Court, wherein, by order dated 24.05.2024 the petitioner was directed to deposit a sum of Rs.10,00,000/- to the credit of Crime No.284 of 2024 pending on the file of the Judicial Magistrate Court No.II, Madurai within a period of two weeks from the date of receipt of a copy of that order and posted the matter for further hearing today.

4.Today(07.06.2024), when this petition is taken up for consideration, the learned counsel has produced a receipt in Folio No.24863, dated 03.06.2024 for depositing a sum of Rs.10,00,000/- to the credit of Crime No.284 of 2024 pending on the file of the Judicial Magistrate Court No.II, Madurai. Therefore, the learned



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counsel prays this Court to grant bail to the petitioner as she has complied with the direction of this Court.

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5.The learned Government Advocate (Crl.side) appearing for the respondent submits that CCTV footage, which has been recovered by the respondent police, discloses that this petitioner along with the defacto complainant went to the Bank and withdrew the death benefits.

6.Heard both sides and perused the materials placed on record.

7. Considering the facts and circumstances of the case, considering the fact that the petitioner has complied with the direction of this Court by depositing a sum of Rs.10,00,000/- to the credit of Crime No.284 of 2024 pending on the file of the Judicial Magistrate Court No.II, Madurai and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner. The defacto complainant is permitted to withdraw a sum of Rs.5,00,000/-, out of Rs.10,00,000/- which has been deposited by the petitioner as stated above. The remaining amount shall be kept in the account of Crime No.284 of 2024.

8. 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



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Judicial Magistrate No.II, Madurai.

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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 report before the respondent police daily at 10.30 a.m until further orders.

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. He shall be available for the trial as well.

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

Consequently, connected Miscellaneous petition is closed.

(*)9.The intervenor/victim, namely Panju W/o Muniyandi has filed an application in Crl.MP(MD) No.5676 of 2024 through a counsel and submits that she is also a victim at the hands of the petitioner and has produced certain materials that the amount has been extracted from her in a similar manner as that of from the defacto complainant in Crime No.284 of 2024. She has lodged a complaint before the respondent police as against the petitioner in Crl.OP(MD) No.7732 of 2024 and the same is in CSR stage in CSR No.615 of 2024. This Court is not inclined to entertain this Miscellaneous as she is not connected with Crime



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No.284* of 2024. However, considering the nature of offence, there shall be a
direction to the respondent police to ascertain the truth of the complaint lodged by
"Panju W/o, Muniyandi" and proceed with the same in accordance with law.

sd/-
07/06/2024

(*)For Corrected as per Order of this
Hon`ble Court dt.21/06/2024 in Crl.OP
(MD).7732/2024.

/ TRUE COPY /

25/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

TO BE SUBSTITUTED WITH THE ORDER DT.07/06/2024 ALREADY
DESPATCHED

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION (CRIME),
MADURAI.

4 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.

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



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+1 CC to Mr.S.POORNACHANDRAN, Advocate, SR.No.6261 (I) DT.10/06/2024

ORDER

IN

CRL OP(MD) No.7732 of 2024

Date :07/06/2024

RS//SAR-(07.06.2024) 6P 6C

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SA/SAR. /25.06.2024 6P 7C

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