



CRL OP(MD). No.7804 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/05/2024

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

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1. Rajeswari

2. Durkaiyammal

... Petitioners/ Accused No.4 & 5

Vs

The Inspector of Police,
Palanichettipatti Police Station,
Theni.
(Crime No.120/2024.)

... Respondent/Complainant

For Petitioner : Mr.K.Appadurai, Advocate.
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr.No.120/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / A4 & A5 who were arrested and remanded to judicial custody
on 10.03.2024 for the offence punishable under Sections 147, 294(b), 109, 498(A) and



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302 IPC, in Crime No. 120 of 2024, on the file of the respondent police, seek bail.

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2. The case of the prosecution is that due to matrimonial dispute, on 04.03.2024, the deceased, who is the wife of the first accused, had consumed poison and died. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. The petitioners are the sisters of the first accused. Due to matrimonial dispute arose between the husband and wife, the occurrence took place. The petitioners are in custody from 10.03.2024. Hence, he prays to release them on bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that in this case, the accused persons had abetted the deceased to commit suicide. Hence, he strongly objected to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and considering the nature of family dispute between the parties and also taking note of the period of incarceration, this Court is inclined to grant bail to the petitioners with some stringent conditions.

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) each with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate,



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Additional Mahila Court (JM Level), Theni and on further conditions that :-

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- “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 11.00 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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/-
29/05/2024

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29/05/2024
Sub-Assistant Registrar (Vigilance)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judge,
Additional Mahila Court, (JM Level),
Theni.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
Palanichettipatti Police Station,
Theni.

4.The Superintendent,
Central Prison, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.APPADURAI, Advocate (SR-5894[I] dated 29/05/2024)



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ORDER

IN

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Date :29/05/2024

ED/ /SAR- (29/05/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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