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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25/06/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). Nos.9296 & 9269 of 2024

Maheshkumar,

... Petitioner/ Accused No.1  
in CRL OP(MD). No.9296 of 2024

Maheshwari

... Petitioner/ Accused No.2 in  
in CRL OP(MD). No.9269 of 2024

Vs

The Inspector of Police,  
Thiruvidadaimaruthur Police Station,  
Thanjavur District.  
Cr.No.440/2024.

... Respondent/Complainant  
in both petitions

For Petitioner :Ms. A.Banumathy,Advocate.  
For Respondent : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor  
(In both Crl.OPs)

PETITIONS FOR BAIL Under Sec.438 of Cr.P.C  
and ANTICIPATORY BAIL UNDER Sec.439 of Cr.P.C

COMMON PRAYER :-

For Bail and anticipatory bail in Crime No.440 of 2024 on the file of the  
respondent police

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



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COMMON ORDER : The Court made the following order :-

The petitioner /A1 in CrI.OP(MD) No.9296 of 2024, who was arrested on 25.05.2024 for the alleged offence under Sections 174 Cr.P.C @ 306 of IPC in Crime No.440 of 2024, on the file of the respondent police, seeks bail.

2.The petitioner/A2 in CrI.OP(MD) No.9269 of 2024 apprehending arrest at the hands of the respondent police in the above crime number seeks anticipatory bail.

3.Since both the applications have been filed in connection with the same crime number, these petitions have been taken up together for disposal.

4.The case of the prosecution is that A2/the wife of A1 has suspected that A1 is having some illicit relationship with the deceased has created quarrel and on account of that, the deceased has committed suicide. Hence, the complaint.

5.The learned Additional Public Prosecutor appearing for the respondent submits that the investigation in this case is yet to be completed.

6. Considering the facts and circumstances of this case and considering the



nature of offence, this Court is inclined to grant bail and anticipatory bail to the petitioners with some conditions.

7. Accordingly, Crl.OP(MD) No.9296 of 2024 is ordered and the petitioner in Crl.OP(MD) No.9296 of 2024 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 District Munsif cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur District.

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. He has to co-operate for the investigation.

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. The petitioner shall be available for the trial as well.



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

8.Crl.OP(MD) No.9269 of 2024 is also ordered and the petitioner in Crl.OP (MD) No. 9269 of 2024 is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District on condition that 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 District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District and on further conditions that:

- i. 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;
- ii. The petitioner shall appear before the respondent police as and when required by the respondent police for interrogation.
- iii. The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses.

The petitioner shall be available for the trial as well.



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

sd/-  
25/06/2024

/ 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

- 1 THE DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, THIRUVIDAIMARUTHUR,  
THANJAVUR DISTRICT.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,  
THIRUVIDAI MARUTHUR POLICE STATION,  
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE  
SUB JAIL, THIRUVIDAIMARUTHUR.



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

+3 CC to M/s.A.BANUMATHY, Advocate ( SR-6912[I] & 6913 dated 25/06/2024 )

ORDER  
IN  
CRL OP(MD). Nos.9296 & 9269 of 2024  
Date :25/06/2024

PKP/25.06.2024/ 6P/ 9C

Madurai Bench of Madras High Court is issuing certified  
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