



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11813 of 2024

Arunarani

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
Crime No.234 of 2024..

... Respondent/ Complainant

For Petitioner : Cn.Tamizharasan,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.234 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 19.07.2024 for the offence punishable under Section 303(2) of the Bharathiya Nyaya



Sanhita, 2023, in crime No.234 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused have stolen the money purse, which contains the amount of Rs.400/- of the wife of the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner the petitioner is innocent and she has not committed any offence as mentioned in the FIR. He would further submit that no previous case is pending against the petitioner and she is in judicial custody from 19.07.2024. Hence, she may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. But, however, he fairly conceded that the no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 the Judicial Magistrate, Paramakudi, Ramanathapuram District.

(i)the sureties shall affix their photographs and left thumb impression in the

surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar

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card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m.,

for a period of two weeks and thereafter, as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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 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].

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

sd/-
26/07/2024

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26/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE
PARAMAKUDI RAMANATHAPURAM DISTRICT.

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- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
WOMEN SUB JAIL, PARAMAKUDI..
- 4 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11813 of 2024
Date :26/07/2024

MK/26.07.2024 4P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023