



CRL OP(MD). No.12127 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.12127 of 2024

Rajkumari,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District,
Crime No.281/2024.

... Respondent/Complainant

For Petitioner	: E.Mareeskumar, Advocate.
For Respondent	: Mr.R.M.Anbunithi, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.281/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ A3, who was arrested and remanded to judicial custody on

05.06.2024 for the offences punishable under Section 174 of Cr.P.C. @ Sections 306 of

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



CRL OP(MD). No.12127 of 2024

IPC r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, in
WEB COPY
crime No.281 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant borrowed money from many persons for interest for family needs. Thereafter, he failed to repay the same. Due to the harassment made by the money lenders/accused, the wife and daughter of the defacto complainant have committed suicide by hanging themselves. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has not committed any offence as mentioned in the FIR. He would further submit that this is the second bail petition. Earlier petition filed by the petitioner in CrI.OP(MD)No.10145 of 2024 was dismissed by this Court on 09.07.2024. But, now, the co-accused (A1) was already released on bail by this Court in CrI.OP(MD)No.11382 of 2024 on 31.07.2024 and the petitioner is in judicial custody from 05.06.2024 and 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 co-accused was already released on bail by this Court.

5.Considering the period of incarceration and also considering the fact that the co-accused was already released on bail by this Court, this Court is inclined to grant



CRL OP(MD). No.12127 of 2024

bail to the petitioner on certain conditions.

WEB COPY

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 learned Judicial Magistrate No.II, Virudhunagar.

(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 card or Bank Pass Book to ensure their identity;

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

(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].



CRL OP(MD). No.12127 of 2024

vi) If the accused thereafter abscond, a fresh FIR can be registered under

WEB COPY

Section 229A IPC.

sd/-
01/08/2024

/ TRUE COPY /

01/08/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.II,
Virudhunagar..
2. Do-Through:
The Chief Judicial Magistrate,
Viruthunagar District.
3. The Superintendent,
Central Prison,
Madurai (Women's)..
4. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District,

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



CRL OP(MD). No.12127 of 2024

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

+1 CC to M/s.E.MAREESKUMAR, Advocate (SR-9181[I] dated 01/08/2024)

ORDER
IN
CRL OP(MD) No.12127 of 2024
Date : 01/08/2024

SL(01.08.2024)/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.