



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14433 of 2024

Tamilselvi,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Keeraithurai Police Station,
Madurai City.
Madurai.

Crime No. 387/2024..

... Respondent/Complainant

For Petitioner : M/s. Andiraj.P,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 387 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 10.08.2024 for the offence punishable under Section 103(1) of Bharatiya Nyaya



Sanhita (BNS), 2023, in Crime No.387 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the elder sister of the deceased as well as the defacto complainant. Due to the deceased having eloped with her paramour leaving the family and children, the elder brother of the deceased murdered the deceased by strangulation with a nylon rope. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the accused being the sister of the deceased , enraged by the fact that the deceased had eloped with her paramour, leaving the family and children, she insisted her to come to a newly constructed house and there, it is alleged that her brother had strangled the deceased with a rope and killed her and tried to set up as if the deceased had hung herself and considering the role, which is played by the petitioner herein that she only spoke to the deceased and made her to come to the said house and considering the facts the petitioner is in custody is in custody from 10.08.2024 and that she has got two teenage children, this Court is inclined to grant bail to the petitioner on certain conditions.

5.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 No.IV, Madurai.

(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., for a period of three 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/-
20/09/2024

/ TRUE COPY /

20/09/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



DSS
TO

1 THE JUDICIAL MAGISTRATE NO.IV MADURAI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, MADURAI..

4 THE INSPECTOR OF POLICE
KEERAITHURAI POLICE STATION,
MADURAI CITY.
MADURAI.

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

+1 CC to M/s.P.ANDIRAJ, Advocate (SR-11529[I] dated 20/09/2024)

ORDER

IN

CRL OP(MD) No.14433 of 2024

Date :20/09/2024

MK/20.09.2024 4P/7C

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