



CRL OP(MD). No.15451 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15451 of 2024

1. Jothimani
2. Murugan

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Koodavkovil Police Station,
Madurai District.
Crime No. 102/2024

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.102 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 21.07.2024 for the offences punishable under Sections 296(b), 110, 49 BNS @ Sections 296(b), 105 and 49 of BNS, 2023 in crime No.102 of 2023 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to wordy quarrel, the first petitioner herein poured the hot water on the deceased, in which, the deceased died during the time of taking treatment in the hospital. Hence, the complaint.

3. Heard the learned counsel for the petitioners and and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Considering the nature of the allegations that unable to bear the behaviour of the husband, the wife, intentionally, made hot water and poured on the husband, on account of which the husband was admitted into the hospital, but, however, he died after a period of 25 days and considering the fact that the petitioners are in jail from 21/7/2024, I am inclined to enlarge the petitioners on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on 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 the learned Judicial Magistrate, Thirumangalam, Madurai 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 card or Bank Pass Book to ensure their identity;

(ii) the petitioners shall appear before the respondent Police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;



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

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
12/09/2024

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12/09/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISION (WOMEN), MADURAI.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 5 THE INSPECTOR OF POLICE, KODAVKOVIL POLICE STATION,
MADURAI DISTRICT.

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



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

ORDER
IN

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Date :12/09/2024

RS//SAR-(12.09.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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