



CRL OP(MD). No.15376 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.15376 of 2024

1. Barveen Banu
2. Syed Abuthakeer

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Srirangam Police Station,
Trichy City.
Crime No. 809/2024

... Respondent/Complainant

For Petitioners : Mr.K.Sivabalan, Advocate
for M/s.Aran Legal Consultancy
For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No. 809 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 22.07.2024 for the offences punishable under Sections 103 and 238 of BNS in crime No.809 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioners herein had committed the murder of the deceased. Hence, the complaint.

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

4. Considering the nature of allegations that the deceased was an alcoholic and used to create ruckus in the family and enraged by the same, the petitioners being the mother and the younger brother attacked the deceased and caused his death and tried to throw the body near the road and considering the fact that there are no other bad antecedents against the petitioners and they are in custody from 22/07/2024, 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 District Munsif Cum Judicial Magistrate, Srirengam, Trichirappalli.

(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.

6. The learned counsel for the petitioners also brings to notice of this Court that the first petitioner is lodged in Women Central Prison, Trichy, whereas it is wrongly mentioned as lodged in Central Prison, Trichy and the same is recorded.

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SRIRENGAM, TRICHY.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.



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3 THE SUPERINTENDENT, CENTRAL PRISON (WOMEN), TRICHY.

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4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

5 THE INSPECTOR OF POLICE, SRIRANGAM POLICE STATION, TRICHY CITY.

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

ORDER
IN

CRL OP(MD) No.15376 of 2024

Date :12/09/2024

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

Madurai Bench of Madras High Court is issuing
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