



CRL OP(MD). No.16083 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16083 of 2024

Rajamani,

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Musiri Police Station,
Trichy District.
Crime No.213 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.K.Arunraj,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.213 of 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



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07.08.2024 for the offences punishable under Sections 296(b), 103(1) and 351(3) of BNS Act, in Crime No.213 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant is the husband of the deceased. Due to the dispute with regard to maintaining a common well, the petitioner and the other accused are said to have brutally attacked the husband of the defacto complainant with aruval and wooden log and caused death. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the occurrence in this case that the deceased and the accused are beneficial owners of the same well entitled to draw water from the same, the deceased is said to have spent for desilting and repairing the well and the accused did not shell out their share, and upon being questioned by the deceased, they attacked the deceased and caused death and also considering the facts that the petitioner being a lady aged about 70 years old and that the investigation is almost over and that the petitioner is in jail from 07.08.2024 and that there are no other bad antecedents against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.



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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 learned Judicial Magistrate, Musiri.

(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 stay at Namakkal District** and report before the **Erumapatty Police Station** 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



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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/-
25/09/2024

/ TRUE COPY /

25/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE
MUSIRI.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY..

4 THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION,
TRICHY DISTRICT.



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

COPY TO:
THE INSPECTOR OF POLICE
ERUMAPATTY POLICE STATION, NAMAKKAL DISTRICT.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-11735[I] dated 25/09/2024)

ORDER
IN
CRL OP(MD) No.16083 of 2024
Date :25/09/2024

SS/SAR- /25/09/2024/5P/8C

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