



CRL OP(MD). No.17298 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

The Hon`ble Mr.Justice K. RAJASEKAR

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1. Vigneshwaran,

2. Sathurakiri,

... Petitioners/ Accused Nos.1&3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Peraiyur Police Station,
Madurai.
Crime No. 190/2024.

... Respondent/Complainant

For Petitioners: M/s.Muthupandi.D, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.190 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/ A1 & A3, who were arrested and remanded to judicial custody on 10.09.2024 for the offence punishable under Section 194 of BNSS Act, 2023 @ 108 of BNS Act, 2023, in Crime No.190 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant is the wife of the deceased. Due to threat and attack made earlier by the petitioners and another accused, on 10.09.2024, the husband of the defacto complainant committed suicide by consuming poison. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that due to wordy quarrel between the parties regarding the celebration of Vinayagar Chathurthi festival, the deceased had committed suicide by consuming poison and the petitioners are in custody from 10.09.2024 and hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioners are having 2 previous cases in the nature of offence under Section 506(ii) IPC. The investigation in this case is not yet completed since the Forensic Report is awaited. Hence, he objected to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and considering the fact



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that the deceased had committed suicide due to wordy quarrel between the parties and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners on certain conditions.

6. 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.20,000/- (Rupees Twenty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Peraiyur.

(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 report before the respondent police daily at 10.30 a.m., until further orders.

(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].

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



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vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/10/2024

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09 / 10 / 2024

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

DSS

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
PERAIYUR.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI..

4 THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
MADURAI.

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

+1 CC to M/s.D.MUTHUPANDI, Advocate (SR-12355[I] dated 09/10/2024)



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ORDER
IN
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Date :09/10/2024

PSP/ /SAR /09.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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