



CRL OP(MD)Nos.17694 & 17696 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)Nos.17694 & 17696 of 2024

Jothi

... Petitioner/ Accused-2
(In Crl.OP(MD)No.17694 of 2024)

Ramar

... Petitioner/ Accused-10
(In Crl.OP(MD)No.17696 of 2024)

Vs

The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam,
Madurai District.
(*)Cr.No.67 of 2023.

... Respondent/ Complainant
(In both petitions)

For Petitioner : Mr.C.Kannan
(In Crl.OP(MD)No.17694 of 2024)

For Petitioner : Mr.S.Selvaraj
(In Crl.OP(MD)No.17696 of 2024)

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(In both Petitions)

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



CRL OP(MD)Nos.17694 & 17696 of 2024

For Intervenor : Mr.S.P.Naveen Kumar
(In both Petitions)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in (*)Crime No.67 of 2023 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 29.07.2024 for the offences punishable under Sections 279,337 and 304(A) of IPC altered into Sections 147, 148, 149, 120(b), 109, 302 and 201 of IPC, in (*)crime No.67 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased is the husband of A2 and was working in the Indian Military. When the deceased came on leave from the Military for one month, the petitioners planned to eliminate the deceased and also murdered him by hitting his two wheeler and setting it up as an accident. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It is stated that A2/Jothi developed an illicit affair with A1 and on account thereof when A2's husband, who was working in the military service doing service to the Nation came home on leave, they planned to eliminate him and in that context, they clandestinely also purchased an insurance policy for a sum of Rs.30,00,000/- and thereafter, eliminated the deceased. Initially, it was set up as if it is an accident and



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the A2/Jothi's son, who was also travelling in the three Wheeler is also a co-accused, who also aided and helped the other accused in killing of his father.

5.Though the case is serious in nature, portraying one of the cruel intentions of human beings and absolute lack of virtues and morals, only considering the fact that the petitioners are in judicial custody from 29.07.2024 and still the investigation is not completed and since more accused have to be roped and since there is also an incident about the insurance policy being encased and the amount being released, I am inclined to enlarge the petitioners on bail with certain conditions.

6.Accordingly, these Criminal Original Petition are 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;

(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.,for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;



CRL OP(MD)Nos.17694 & 17696 of 2024

(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/-
18/10/2024

(*)For Corrected as per Order of this
Hon'ble Court dt.19/10/2024 in Crl.OP
(MD)Nos.17694 & 17696/2024.

/ TRUE COPY /

19/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

TO BE SUBSTITUTED WITH THE ORDER DT.18/10/2024 IS ALREADY
DEPSATCHED

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.



CRL OP(MD)Nos.17694 & 17696 of 2024

3 THE OFFICER INCHARGE,
CENTRAL PRISON FOR WOMEN, MADURAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

5 THE INSPECTOR OF POLICE,
THIRUMANGALAM TALUK POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT.

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

+1 CC to M/s.C.KANNAN, Advocate (SR-12672[I] dated 18/10/2024)

+2 CC to M/s.S.SELVARAJ, Advocate (SR-12765[I] dated 19/10/2024)

ORDER
IN

CRL OP(MD)Nos.17694 & 17696 of 2024

Date :18/10/2024

SA/SAR. /18.10.2024/5P/9C
NS

SA/SAR. /19.10.2024/5P/10C

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