



CRL OP(MD). No.17742 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). No.17742 of 2024

Packiyaraj

... Petitioner/Petitioner/ Accused-1

Vs

The Inspector of Police,
Sindhupatti Police Station,
Madurai District.
Crime No.129/2024.

... Respondent/Respondent/ Complainant

For Petitioner : Mr.C.Susikumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.129/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on
19.07.2024 for the offence punishable under Sections 103, 331(4) & 305 of BNS, in



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Crime No.129 of 2024 on the file of the respondent police, seek bail.

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2.The case of the prosecution is that A-2 and the petitioner had developed extramarital affairs. The deceased came to know about their affair and warned A1 and A2. But A1 and A2 assumed that the deceased would inform the same to the husband of A2 and in that fear, A1 and A2 murdered the deceased and also diverted the occurrence as if it is a murder for gain. Hence, the complaint.

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

4.Considering the fact that A-2 is daughter-in-law of the deceased and she is said to have developed an affair with the petitioner herein and apprehending that the deceased will inform her son, who was working in Maharashtra, both the accused killed the deceased and set it up as if it is a murder for gain and only considering the fact that the investigation is over and the charge sheet is filed and the case is now pending in PRC.No.65 of 2024 and that the petitioner is in judicial custody from 19.07.2024, I am inclined to enlarge the petitioner on bail with certain conditions.

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, Thirumangalam;



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(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 attend all the hearings in PRC.No.65 of 2024, without fail. It is made clear that even if the petitioner fails to attend the hearing even on a single day, the bail in the present case will be cancelled.

(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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
18/10/2024

/ TRUE COPY /

18/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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JBR

TO

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1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
SINDHUPATTI POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-12641[I] dated 18/10/2024)

ORDER IN

CRL OP(MD) No.17742 of 2024

Date :18/10/2024

SA/SAR. /18.10.2024/4P/7C

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