



CRL OP(MD). No.18861 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18861 of 2024

P.Sudha,
S/o.T.Parasuraman

... Petitioner/ Accused-2

Vs

State rep by
The Inspector of Police,
Sindhupatty Police Station,
Madurai District.
(Crime No.129 of 2024)

... Respondent / Complainant

For Petitioner : M/s.R.Yamuna,
Advocate.

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

For Intervenor : Mr.T.Dinesh, Advocate

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

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



CRL OP(MD). No.18861 of 2024

WEB COPY

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

ORDER : The Court made the following order :-

The petitioner/ Accused-2, who was arrested and remanded to judicial custody on 19.07.2024 for the offences punishable under Sections 103, 331(4) and 305 of BNS, 2023, in Crime NO.129 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused attacked the deceased and caused death. Hence, the case.

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

4. The learned counsel for the intervenor strongly opposes the application by stating that in this case the jewels are taken away, resulting in the murder.

5. This is a serious case. This petitioner is said to have developed an illicit affair with the first accused when the husband is working at Maharashtra. Only because



CRL OP(MD). No.18861 of 2024

WEB COPY

the mother-in-law had come to know about the affair, she conspired with A1, killed the mother-in-law and is said to have committed murder and stolen the jewels and only considering the fact that the petitioner is in judicial custody from 09.07.2024 and the charge sheet is also filed and is taken on file as P.R.C. No. 65 of 2024, I am inclined to enlarge the petitioner on bail with certain conditions.

6. 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 Court, 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 petitioner shall stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station, Chennai, daily at 10.30 a.m., for a period of four weeks and thereafter, shall appear before all the hearings in P.R.C. No. 65 of 2024 on the file of the concerned Magistrate. It is made clear that no relaxation of the condition for the



CRL OP(MD). No.18861 of 2024

said period will be entertained by this court;

WEB COPY

(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/-
29/10/2024

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal



CRL OP(MD). No.18861 of 2024

TO
WEB COPY

1. THE JUDICIAL MAGISTRATE COURT, THIRUMANGALAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI
3. THE SUPERINTENDENT,
CENTRAL PRISON (WOMEN),
MADURAI DISTRICT.
4. THE INSPECTOR OF POLICE,
SINDHUPATTY POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

THE INSPECTOR OF POLICE, FLOWER BAZAAR POLICE STATION, CHENNAI,

ORDER
IN
CRL OP(MD) No.18861 of 2024
Date :29/10/2024

RK/ (29/10/2024) 5P / 7C

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