



CRL OP(MD). No.18873 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Mathiyarasan,

... Petitioner/9th Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
Cr.No.67 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.67 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A9, who was arrested and remanded to judicial custody on



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24.09.2024 for the offences under Sections 279, 337 and 304(A) of IPC @ 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. Perused the materials available on record including the First Information Report.

4.This case is also a serious case. One of absolutely moral bankruptcy, where the wife is said to have developed an illicit affair with the paramour and thereafter when the defacto complainant, who is serving the nation, came on a holiday, the son of the deceased also joined the other accused and both the son and the deceased were travelling in a two-wheeler and the son pretended as if he wanted to attend the nature's call and stopped on the road, during which time, the other accused came and attacked and set it up as if it is an accident and before killing the deceased, the wife also purchased the Life Insurance for Rs.30,00,000/- and they also got the insurance claim and pocketed the money and considering the role played by this person, who is also a driver and on considering the fact that the petitioner is in judicial custody from



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24.09.2024 and the investigation is almost proceeded with and the co-accused have already been enlarged on bail, I am inclined to enlarge the petitioner on bail, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period three weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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



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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].

[h] 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
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

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,
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-13419[I] dated 29/10/2024)



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ORDER
IN
CRL OP(MD) No.18873 of 2024
Date :29/10/2024

SA/SAR. /29.10.2024/5P/7C

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