



CRL OP(MD). No.19090 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1. Alexrani

2. Maheswari

... Petitioners/ Accused No.14 and 20

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
Crime No. 403/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Micheal Heldon Kumar, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.S.Selvakumar, Advocate

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 403 of 2024 on the file of the respondent police.

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



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ORDER: The Court made the following order :-

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The petitioners/A14 and A20, who were arrested and remanded to judicial custody on 08.10.2024 for the offences under Sections 191(2), 191(3), 296(b), 118(1), 127(1), 103(1) and 351(3) BNS (hereinafter referred to as new penal code) and Section 4 of TNPHW Act in Crime No.403 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that a dispute arose during a funeral function and as a result, the accused persons are said to have indiscriminately attacked the deceased and two other persons. One Velusamy died in that incident and two persons sustained grievous injury. There are totally 23 accused persons in this case and the petitioners have been arrayed as A14 and A20.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the overt act against the petitioner is that they had attacked the witnesses. The learned Additional Public Prosecutor further submitted that there are no previous case against the petitioners.

4. The learned Counsel appearing for the petitioners submitted that the petitioners were not even in the scene of occurrence and that they have been falsely roped in this case.

5. The learned Counsel appearing for the intervenor strongly objected grant of



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bail to the petitioners on the ground that all the accused persons including the petitioners had attacked the deceased and also caused grievous injuries to two other persons.

6. Taking into consideration the facts and circumstances of the case and the above submissions and also the manner, in which, the incident had taken place and also considering that the petitioners have already suffered incarceration from 08.10.2024 onwards, this Court is inclined to grant bail to the petitioners subject to the following conditions.

7. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on their 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, Sivagiri, Tenkasi District and on further conditions that:-

[a] 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.

[b] the petitioners shall report before the respondent police every Monday at 10.30 a.m until further orders except on the days when the case is posted for hearing before the trial Court.



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[c] the petitioners shall appear before the trial Court during every hearing date without fail.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
06/11/2024

/ TRUE COPY /

06 / 11 /2024

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

LR

TO

1 THE JUDICIAL MAGISTRATE, SIVAGIRI, TENKASI DISTRICT



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE

SPECIAL PRISON FOR WOMEN, MADURAI.

4 THE INSPECTOR OF POLICE,

PULIYANGUDI POLICE STATION, TENKASI DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to S.MICHEAL HELDON KUMAR Advocate SR.No.13624(I) dated
06/11/2024

ORDER

IN

CRL OP(MD) No.19090 of 2024

Date :06/11/2024

PSP/ /SAR /06.11.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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