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CRL OP(MD). No.20827 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20827 of 2024

1. Reena,

2. Sunthari @ Jeyasunthari,

... Petitioners/ Accused Nos. 2 and 4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Surandai Police Station,
Tenkasi District.

Crime No. 249/2024.

... Respondent/ Complainant

For Petitioners : Mr.S.Sathyachidambaram,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 249 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.2 and 4, who were arrested and remanded to judicial custody on 03.11.2024 for the offences under Sections 296(b) 103(1) and 351(3) of BNS, 2023 in Crime No.249 of 2024 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the defacto complainant and the accused

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persons are close relatives. There was a pathway dispute and several proceedings were also pending before the competent Court. On 01.11.2024, there was a wordy quarrel in the morning and around 03.00 p.m., the accused persons are said to have come to the scene of occurrence and the deceased was stabbed indiscriminately and he died. There are totally five accused persons in this case and the petitioners have been arrayed as Accused Nos.2 and 4.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the incident had taken place and also considering the overt act that has been attributed against the petitioners and the petitioners being ladies and they have suffered incarceration from 03.11.2024, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, the criminal original petition is ordered 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, Alangulam, Tenkasi District and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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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 daily at 10.30 a.m., until further orders.

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

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

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
29/11/2024

/ TRUE COPY /

29/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE,
ALANGULAM, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TENKASI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI.

4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.

5 THE INSPECTOR OF POLICE,
SURANDAI POLICE STATION, TENKASI DISTRICT.

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

ORDER IN

CRL OP(MD) No.20827 of 2024

Date :29/11/2024

SA/SAR. /29.11.2024/4P/7C

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