



CRL OP(MD). No.21213 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Santhanadevi

2.Nalluthevar

... Petitioners/ Accused 3 & 4

Vs

The Inspector of Police,
Usilampatty Town Police Station,
Usilampatty Town,
Madurai District.
(Crime No.489 of 2022)

... Respondent/Complainant

For Petitioners : Mr.M.Kannan, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No. 489 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused 3 & 4, who were arrested and remanded to judicial custody on 22.11.2024 for the alleged offence under Sections 294(b) and 306 of IPC, in Crime No.489 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons and the defacto complainant's mother are neighbours. There was some property dispute. Every time when the defact complainant's mother was taking steps to survey the property, it was



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disrupted by the accused persons. For the 5th time, the defacto complainant's mother once again took steps to survey the property. When the surveyor came to the property, he was once again stopped by the accused persons and the accused persons are said to have abused the defacto complainant's mother in filthy language and also threatened that they will not allow the property to be measured. The mother of the defacto complainant became agitated and went to the first floor of her house and jumped from the first floor resulting in her death. There are totally 4 accused persons in this case and the petitioners have been arrayed as A3 and A4.

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

4. Taking into consideration the facts and circumstances of the case and the manner in which this incident had taken place and also considering the fact that the petitioners have suffered incarceration from 22.11.2024 and this incident took place on 23.11.2022, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Usilampatti, and on further conditions that:-



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[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 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 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].

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

sd/-
04/12/2024

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04/12/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, USILAMPATTY TOWN POLICE STATION,
USILAMPATTY TOWN, MADURAI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.M.KANNAN, Advocate (SR-14912[I] dated 04/12/2024)

ORDER

IN

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Date :04/12/2024

RS/IT/SAR-(04.12.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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