



CRL OP(MD). No.21729 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Maruthupandi

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
Thirumangalam
Taluk Police Station,
Madurai District
(Crime No.162/2023).

... Respondent/Complainant

For Petitioner : Mr.R.Sundar, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.162 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial



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custody on 07.11.2024 for the offence under Section 174 of Cr.P.C and subsequently investigating the case and then altered the case under section 302 of IPC in Crime No.162 of 2023 on the file of the respondent Police, seeks bail.

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2. The case of the prosecution is that the deceased and the petitioner are friends. On one occasion, the deceased is said to have teased the petitioner that he does not have any child out of the marriage. Due to this comment made by the deceased, the petitioner developed an enmity against the deceased and hence, decided to do away with the deceased. On the date of occurrence, the deceased was called by the petitioner for having liquor. The petitioner is said to have added insecticide in the liquor and when the deceased consumed the same, he died out of poison. Initially, the FIR was registered under Section 174 of Cr.P.C. and it was altered to Section 302 of IPC after the incident came to light.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that this petitioner was working in Military and the medical records that have been produced before this Court shows that the petitioner suffers from delusional disorder and such certificate was given by the Military Hospital and also considering the fact that the petitioner has suffered incarceration from



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07.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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5. Accordingly, the criminal original petition is ordered 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, Thirumangalam 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 petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

[d] the petitioner 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-
10/12/2024

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10/12/2024

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

TSG

To

1.The Judicial Magistrate,
Thirumangalam.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Thirumangalam Taluk Police Station,
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.R.SUNDAR, Advocate (SR-15143[I] dated 10/12/2024)

ORDER
IN

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Date :10/12/2024



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ED/ /SAR- (10/12/2024) 5P / 7C

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