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Cr1.O.P.No.6035 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Cr1.O.P.No.6035 of 2025

1.Malliga

2.Gokul

... Petitioner/A2 & A3

Vs.

State Represented by
The Inspector of Police
Ariyur Police Station
Vellore.

(Crime No.23 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.23 of 2025 on the file of the respondent police.

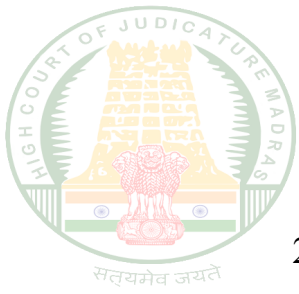
For Petitioner : Mr.M.R.Thangavel

For Respondent : Mr.Leonard Arul Joseph Selvam

Learned Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioners/A2 & A3, who were arrested and remanded to judicial custody on 10.02.2025, seeking bail in Crime No.23 of 2025 registered for the offence under Section 191(2), 191(3), 296(b), 79, 118(1), 109(1), 351(3) of the BNS and later altered into sections 191(2), 191(3), 296(b), 79, 118(1), 109(1), 351(3), 103(1) of the BNS (147, 148, 294(b), 509, 324, 307, 506(2), 302 of IPC)



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2.The case of the prosecution is that due to a property dispute between the parties, when the deceased attempted to fence his property, A1 and other accused attacked the deceased with knife and wooden logs, as a result, the deceased died.

3.Learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case; that the petitioners lodged a complaint against the family members of the deceased in Cr.No.24 of 2025; that the petitioners are in custody from 10.02.2025; and that they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4.Learned Government Advocate (Cr1.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that the first petitioner had attacked the deceased with wooden logs and the second petitioner attacked the deceased on his head with a knife.

5.Learned counsel for the petitioner has sought permission to withdraw this Petition in respect of the second petitioner. He has also made an endorsement to that effect.

6.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1. Side) for the respondent Police and perused the



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materials available on record.

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7.Considering the aforesaid facts, nature of allegations, the period of incarceration undergone by the first petitioner, the fact that the first petitioner is a lady, the overtact attributed on her and since further custody is not required for the purpose of interrogation, this Court is inclined to grant bail to the first petitioner with certain conditions.

8.Accordingly, the first petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Additional Mahila Court, Vellore, 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 first petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the first petitioner shall not abscond either during investigation or trial;

[d] the first petitioner shall not tamper with evidence or witness 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 first petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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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 B.N.S.

9.This Petition is dismissed as withdrawn in respect of the second petitioner.

12.03.2025

sai

To

1.The Additional Mahila Court, Vellore

2.The Inspector of Police
Ariyur Police Station
Vellore.

3.The Superintendent,
Central Prison, Vellore.

4.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.
sai

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