



CRL OP(MD). No.1369 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Alagumalairaja

... Petitioner/sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Tenkarai Police Station,
Theni District.
(Crime No. 545/2024).

... Respondent/Complainant

For Petitioner : Mr.Vishnu J, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

for Bail in Crime No.545 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 16.12.2024 for the offences under Section 194 of BNSS (hereinafter referred to as new Procedure code) and subsequently altered to Section 108 of BNS (hereinafter referred to as new penal code) in Crime No.545 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased who was a married woman and who was living away from her husband, developed a relationship with the petitioner and both of them had live-in relationship. After some time, the petitioner was intending to marry some other girl and when the same was questioned, the petitioner is said to have abused the deceased and as a result, the deceased took the extreme step of committing suicide by hanging.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the incident had taken place and taking note of the



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fact that this petitioner has already suffered incarceration from 16.12.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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, Periyakulam, Theni 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 petitioner shall report before the respondent police **every Monday and Friday at 10.30 a.m until further orders.**

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

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

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



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[f] 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]**.

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

sd/-
27/01/2025

/ TRUE COPY /

27/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

- 1 THE JUDICIAL MAGISTRATE
PERIYAKULAM, THENI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, PERIYAKULAM, THENI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
TENKARAI POLICE STATION,
THENI DISTRICT.



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

ORDER
IN
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Date :27/01/2025

SS/SAR- /27/01/2025/ 5P/6C

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