



CRL OP (MD) No.4105 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4105 of 2025

Kaliyammal,
W/o Late.Natchimuthu,
Kulathur,
Kakanampatti,
Vedasandur Taluk,
Dindigul District.

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No.727/2024.

... Respondent/Complainant

For Petitioner : Mr.J.Lawrance,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

<https://www.mhc.tn.gov.in/judis>



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PRAYER :- For Bail in Crime No.727 of 2024 on the file of the respondent-police.

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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 03.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / Accused No.2 was arrested and remanded to judicial custody on 28.12.2024 for the offence punishable under Section 194 of BNSS, 2023 @ Section 103 of BNS, 2023 @ Section 103 (1) of BNS, 2023, in Crime No.727 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that, based on the complaint lodged by the Village Administrative Officer of Seelapdi Village, the respondent-police found a male dead body with head injuries in a vacant land near Chinnathai Rice Mill, opposite to Ma.Mu.Kovilur Junction on Dindigul Highway. During the investigation, the respondent-police identified the deceased as one Natchimuthu, the husband of the petitioner, and confirmed that he had been murdered, causing head injuries. The further inquiry revealed that Natchimuthu was a coolie worker and that the petitioner and the deceased had two children. The allegation against the petitioner is that she was involved in an extramarital relationship with Accused No.1, which led to frequent quarrel between her and the deceased. Due to the same, the petitioner and the first accused allegedly conspired to murder Natchimuthu. On 27.12.2024,



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Accused No.1 took the deceased to a secluded place, where both consumed liquor. When the deceased was in an inebriated condition, Accused No.1 attacked him with a wooden log, causing head injuries. Due to the injuries, the deceased succumbed to death. Hence, the case.

4. Mr.J.Lawrance, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that the deceased and Accused No.1 were friends, and they used to consume alcohol together and create a nuisance in the area. There was also a money dispute between them, and while consuming alcohol, there might have been a scuffle between them over the money dispute, which could have led to the death of her husband. He further submits that the petitioner had no extramarital relationship with Accused No.1, as alleged by the prosecution. He however submits that she is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner has been in incarceration since 28.12.2024 and that she is a married woman, aged about 45 years. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the investigation has not yet been completed. He further submits that the alleged occurrence took place in a secluded location, and therefore, further custody of the petitioner is necessary to unearth the



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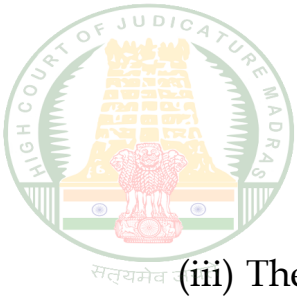
entire truth. He further submits that if bail is granted to the petitioner, she will abscond, cause a threat to the defacto complainant and witnesses and thereby, delay the investigation. Accordingly, he prays to dismiss this petition.

6. Heard the learned counsel on either side. This Court has perused the records.

7. The petitioner is none other than the wife of the deceased, and she has been in incarceration since 28.12.2024. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the same and also considering the age of the petitioner and the period of incarceration suffered by the petitioner and with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Dindigul;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.I, Dindigul shall obtain a copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of she is accused, or suspected, of the commission of which he is suspected;

(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate No.I, Dindigul;

(vii) The petitioner shall appear and sign before the respondent-Police daily at 10.30 a.m., and 05.00, until further orders;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Dindigul is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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05/03/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.

4 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.4105 of 2025
Date :05/03/2025

SA/SAR. /05.03.2025/7P/6C

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