



CRL OP (MD) No.7473 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.7473 of 2025

Meena Devi

... Petitioner/Sole Accused

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
Crime No.91 of 2025

... Respondent/Complainant

For Petitioner : Mr.K.Lenin
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in Crime No.91 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 22.04.2025

<https://www.mhc.tn.gov.in/judis> under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying



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to grant bail.

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2. The petitioner/sole accused was arrested and remanded to judicial custody on 11.03.2025 for the alleged offence punishable under Section 103(1) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.91 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner is the wife of the deceased. On 10.03.2025, at about 2:40 p.m., the deceased returned home in an inebriated state and attempted to throw a stone at his two-year-old son. In order to protect the child, the petitioner allegedly pushed the deceased, struck him repeatedly with a piece of hollow block, and caused his death. Hence the case.

4. Mr.K.Lenin, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that a false case has been foisted against her. He further submits that the petitioner has been in judicial custody since 11.03.2025. He however submits that the petitioner is ready to abide by any condition that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner murdered her husband and therefore, further custody of the petitioner is necessary



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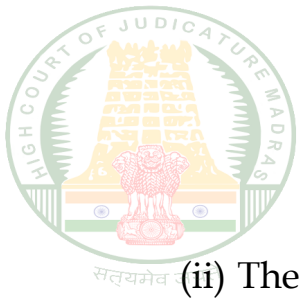
for the Investigating Agency. He therefore prays to dismiss this petition.

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6. Heard on both sides and perused the records.

7. The petitioner was arrested on 11.03.2025 and has been in judicial custody since then. The petitioner is a woman and has a two year old son. The offence allegedly committed by the petitioner is that, in order to protect her child from an attack by the deceased (her husband), who was in an inebriated condition and attempted to assault the child with a piece of hollow block, she allegedly pushed the deceased and struck him repeatedly with a hollow block, resulting in his death. In view of the above offences, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency. Further, the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Tiruchendur, Thoothukudi District;



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(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, Tiruchendur, Thoothukudi District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Tiruchendur, Thoothukudi District;

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

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

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

(vii) 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; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Tiruchendur, Thoothukudi District is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are



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imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State
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of Kerala [(2005) 13 SCC 283].

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

sd/-
28/04/2025

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE JUDICIAL MAGISTRATE,
TIRUCHENDUR, THOOTHUKUDI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.

3.The Superintendent of Prison,
Central Prison for Women,
Kokkirakulam, Tirunelveli District.

4.The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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



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ORDER
IN
CRL OP(MD) No.7473 of 2025
Date :28/04/2025

MK/SAR /29.04.2025 6P/6C

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