



CRL OP(MD). No.12097 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI

CRL OP(MD). No.12097 of 2025
and CRL MP(MD).No.9611 of 2025

Vijaya

... Petitioner/ Accused No.3

Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Utthamapalayam Police Station,
Theni District.
(Crime No.150 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Poornachandran

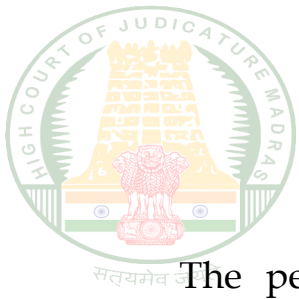
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

For Intervenor : Mr.A.Arputharaj

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.150 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who was arrested and remanded to judicial custody on 01.05.2025 for the offence punishable under Sections 296(b), 118(1), 103(1) of the Bharatiya Nyaya Sanhita and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.150 of 2025 on the file of the respondent police, seeks bail,

2. The case of the prosecution is that there was already previous enmity regarding land between the defacto complainant 's brother and the petitioner's husband. Further on 01.05.2025 at around 10.30 p.m., the petitioner along with other accused persons attacked the defacto complainant's husband and her brother, the daughter of the defacto complainant tried to prevent the attack. Further, the petitioner's son/A1 had attacked the husband of the defacto complainant with broad sword and other accused persons had attacked the daughter of the defacto complainant and her brother with wooden log. As a result of which, the defacto complainant's husband succumbed to the injuries and died. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that co-accused/A2 had already been granted



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bail by this Court in Crl.OP(MD).No.12014 2025 dated 17.07.2025. He further submitted that the petitioner's husband has suffered by chronic kidney disease and weekly twice or thrice, he should go for dialysis. Further, submitted that the petitioner is going to donate her kidney to her husband and he produced the doctor certificate before this Court. He further submitted that the petitioner is in judicial custody from 01.05.2025. He further submitted that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he seeks bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there was a civil dispute pending between them. He further submitted that the petitioner along with her family members have attacked the defacto complainant's family, due to which, the husband of the defacto complainant died. Further, he submitted that the respondent police have enquired and verified the doctor, and the statement made by the learned counsel for the petitioner is true. Further, the learned Government Advocate (Crl.Side) fairly conceded that the petitioner is going to donate her kidney to her husband. He further submitted that the investigation is almost completed.



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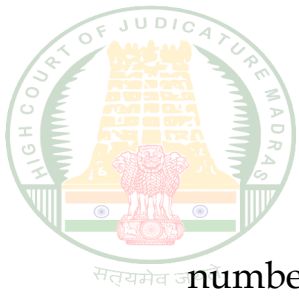
5. The learned counsel for the intervenor/defacto complainant has raised formal objection to allow this petition and prayed to pass orders on merits.

6. Taking into consideration of the facts and circumstances of the case and also the fact that co-accused had already been granted bail by this Court and also considering that the petitioner is going to donate her kidney to her husband and the investigation has been almost completed and also consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Utthamapalayam, 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 furnish her residential address and mobile



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number to the learned Judicial Magistrate, Utthamapalayam.
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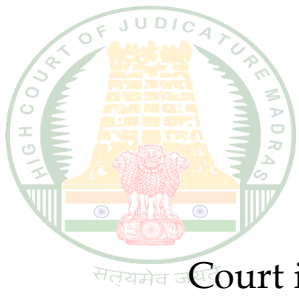
© If the petitioner changes her residential address, she shall report the same to the learned Judicial Magistrate, Utthamapalayam.

[d] the petitioner shall report before the respondent police as and when required for interrogation.

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

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

[g] 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



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

8. Accordingly, this Criminal Original Petition is allowed and the connected CRL MP(MD).No.9611 of 2025 is closed.

sd/-
28/07/2025

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28/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm

To

1. The Judicial Magistrate, Uthamapalayam.
2. Do Through The Chief Judicial Magistrate, Theni.
3. The Superintendent, Central Women Prison,
Madurai.
4. The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.12097 of 2025
Date :28/07/2025

HPS/28.07.2025 /7P/6C

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