



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/06/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.7158 of 2021

1.Suresh
2.Dinesh
3.Ramesh

... Petitioners/Accused Rank not known

Vs

State rep by
The Inspector of Police,
Ariyamangalam Police Station,
Trichy District.
Crime No.200/2021.

... Respondent/Complainant

For Petitioners: Mr.N.Anandakumar,
Advocate.

For Respondent : Mr.S.Ravi,
Standing Counsel for Government

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 200 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners are in custody from 23.03.2021 for the offences under Section 147, 148, 341 and 302 of IPC in Crime No.200 of 2021 on the file of the respondent police. They seek bail.

2. The case of the prosecution is that there was a property dispute between the defacto complainant family and his paternal uncle's family. On 15.03.2021, at about 11.00 pm, his brother was murdered with multiple injuries. Hence, he lodged a complaint.

3.The learned counsel for the petitioners would submit that this is the second bail application. Earlier petition was dismissed by this Court on 20.05.2021. He would further submit that now, the

<https://hcservices.courts.gov.in/hcservices/>



mother of the petitioners also died on 25.05.2021. Hence, he seeks grant of bail to the petitioners.

4. The learned Standing Counsel for Government appearing on behalf of the respondent police submits that this is the second bail application filed by the petitioners and he vehemently opposed to grant bail to the petitioners.

5. It is seen that the earlier bail application was dismissed by this Court, on 20.05.2021, considering the fact that it is too earlier to release the petitioners on bail and this Court also was an agreement with the order passed by the learned Principle District Judge, Trichy. Now, the second application has been moved by the petitioners, mainly on the ground that the co-accused were released on bail by the concerned Court and also submitted that the mother of the petitioners also died on 25.05.2021.

6. Considering the above facts and period of incarceration of the petitioners, I am of the considered view that a major portion of the investigation would be almost completed by this time, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on the following conditions:

i) the petitioners shall execute 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 No.6, Trichy.

ii) 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.

iii) The petitioners shall appear before the respondent police once in a week i.e on every Monday at 10.30 a.m until further orders.

iv) The petitioners shall not tamper with evidence or witness.

v) the petitioners shall not abscond either during investigation or trial.

vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.



[viii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/06/2021

/ TRUE COPY /

WEB COPY

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.6, TRICHY.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
ARIYAMANGALAM POLICE STATION, TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7158 of 2021
Date :09/06/2021

dss
MS/PN/SAR-2/10.06.2021/3P.6C