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CrI.OP.No.17551 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.17551 of 2022

Madhankumar

...Petitioner

Vs.

State Rep. by
The Inspector of Police,
Palladam Police Station,
Palladam,
Tirupur District.
(Crime No.490 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the accused/petitioner on bail pending investigation in
Cr.No.490 of 2022 pending on the file of the respondent police.

For Petitioner : Mr.B.Ramesh Babu
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 06.05.2022 for the offences punishable under Section 302 of
IPC @ 302, 120(b) and 34 of IPC in crime No.490 of 2022 on the file of
the respondent police, seeks bail.



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2. The case of the prosecution is that on 04.05.2022, at about 6.50 p.m. three persons who came in a two wheeler quarrelled with the *de-facto* complainant's husband and subsequently, stabbed him with knife on various parts of his body. Hence, the case.

3. There are totally eight accused, in which the petitioner is arrayed as A4. A2 had illegal intimacy with A1, who is the wife of the deceased. Due to which, A1 & A2 decided to do away the life of the deceased. Therefore, they engaged A5 to A8 to do away the life of the deceased. As such, they attacked the deceased with deadly weapons and murdered him. In so far as the overt act of the petitioner, he purchased a SIM and handed over the same to the A1.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e.06.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his 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**



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Judicial Magistrate, Palladam, Tiruppur 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m., for a period of six weeks and thereafter as and when required for interrogation.

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

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

[e] 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]**.

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

28.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate, Palladam,
Tiruppur District.
- 2.The Inspector of Police,
Palladam Police Station,
Palladam,
Tiruppur District.
- 3.Sub Jail,
Thiruppur.
- 4.The Public Prosecutor,
High Court of Madras

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