



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 16/02/2022
PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.1439 of 2022

Athinarayanan

... Petitioner/Accused No.5

Vs.

The State rep. By
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.1227 of 2020)

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.Sankar.K, Advocate.

For Respondent : Mr.SS.Madhavan
Government Advocate (Criminal side)

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

PRAYER :- For Bail in Crime No.1227 of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A5 was arrested on 17/12/2021 and remanded to judicial custody for the alleged offences under sections 109, 120(B), 147, 148, 149, 342 and 302 IPC, in Crime No.1227 of 2020, seeks bail.

2.The case of the prosecution is that one Manikandan was murdered by the deceased and others and as retaliation, the petitioner and others engaged the other accused persons to do away the deceased and attacked brutally by deadly weapons, he died on the spot.

3.Heard both sides.

4.The earlier bail application filed by the petitioner came to be dismissed by this court, on 12/01/2022, by taking into account the antecedents of the petitioner and his conduct. Subsequent to the registration of the FIR, it was observed by this court that right from the date of registration of the FIR, the petitioner tried to

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anticipatory bail that was filed by him and also the antecedents was also taken into account, since he is facing 17 criminal cases.

5.Now this petitioner has been filed by the petitioner for second time on the ground that now he is in custody for more than 70 days. Since the petitioner was arrested and remanded to judicial custody on 17/12/2021, he is in custody for more than 60 days.

6.According to the learned Senior counsel appearing for the petitioner, by this time, the investigation might have been over and the judicial custody of the petitioner can no longer be required. The learned Government Advocate (Criminal side) would submit that now the investigation has been completed and the final report is also made ready to be presented before the concerned court before official formalities to be completed.

7.Considering the duration of the custody of this petitioner and also considering the fact that the investigation is completed, this court is inclined to grant bail to the petitioner with certain conditions. 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 Judicial Magistrate, Thirumangalam, Madurai and on further condition that the petitioner shall report before the respondent police once in a week at 10.30 am until further orders.

sd/-
16/02/2022

/ TRUE COPY /

16/02/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION, MADURAI DISTRICT.
 - 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to MR.K.SANKAR, Advocate (SR-1195[I] dated 16/02/2022)

ORDER IN
CRL OP(MD) No.1439 of 2022
Date :16/02/2022

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MK/PN/SAR.II/16.02.2022/2P/7C

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