



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10.02.2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.2399 of 2022

Marnadu

... Petitioner/Accused
Rank Not Known

Vs

State represented by
The Inspector of Police,
Alanganallur Police Station,
Madurai.
(Crime No.509 of 2021)

... Respondent/Complainant

For Petitioner : Mr.J.SULTHAN BASHA,
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.509 of 2021 on the file of the Respondent police.

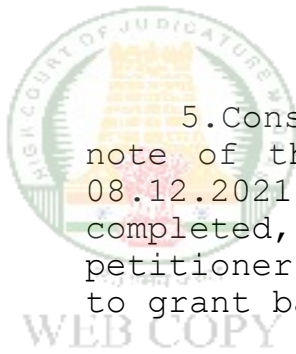
ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 08.12.2021 for the offence punishable under Section 302 IPC, in Crime No.509 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had planned to grab the car from the deceased, he cut the neck and wrist of him and caused death. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner is working in Indian Armed Force and he has come to his village only on 30.11.2021 and that he has no connection with the alleged incident.

4.The learned Additional Public Prosecutor would submit that it is a case of murder for gain, that the petitioner is in judicial custody from 08.12.2021, that the investigation is almost completed and that the viscera report is not yet received.



5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 08.12.2021 and also the facts that the investigation is almost completed, except the receipt of viscera report and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his 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, Vadipatti.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/02/2022

/ TRUE COPY /

10/02/2022

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
VADIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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



4 THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.2399 of 2022

Date :10/02/2022

SA/VR/SAR.2/10.02.2022/3P/6C