



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

Date : 14.02.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

WEB COPY

CRL OP(MD) . No.3115 of 2022

Manoj

... Petitioner/Accused No.6

Vs

State represented by
The Inspector of Police,
Lalapet Police Station,
Karur District.
(Crime No.399 of 2021)

... Respondent/Complainant

For Petitioner: Mr.K.MU.MUTHU, 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.399 of 2021 on the file of the Respondent police.

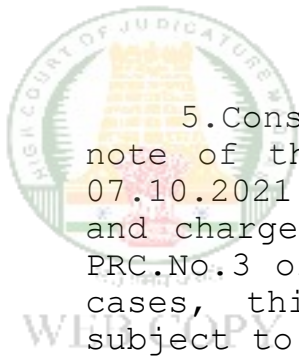
ORDER : The Court made the following order :-

The petitioner/A.6, who was arrested and remanded to judicial custody on 07.10.2021 for the offence punishable under Section 302 IPC altered into Sections 109, 120B, 148, 212, 302 and 341 IPC, in Crime No.399 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused had murdered the defacto complainant's husband. 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. He would further submit that the petitioner is in judicial custody from 07.10.2021 and that the investigation was already completed and charge sheet has been filed.

4.The learned Additional Public Prosecutor would submit that it is a case of retaliation of murder and that 8 accused were already detained under Goondas Act.



5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 07.10.2021 and also the facts that the investigation was completed and charge sheet has been filed and the same was taken on file in PRC.No.3 of 2022 and that the petitioner is not having any previous cases, 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 No.I, Kulithalai, Karur District.

(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., on all working days for a period of one month and thereafter as and when required for interrogation;

(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/-

14/02/2022

/ TRUE COPY /

14/02/2022

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 NO.I, KULITHALAI, KARUR DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.



3 THE SUPERINTENDENT
CENTRAL PRISON, THIRUCHIRAPPALLI DISTRICT.

4 THE INSPECTOR OF POLICE,
LALAPET POLICE STATION, KARUR DISTRICT.

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

+1. CC to M/S.MUTHU.K.MU., Advocate SR.No.1063

ORDER

IN

CRL OP(MD) No.3115 of 2022

Date :14/02/2022

SA/PN/SAR.2/14.02.2022/3P/7C