



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14.02.2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3138 of 2022

Manojkumar

... Petitioner/ Accused No.8
In Crime No.1150 of 2021
Thiruverumbur Police Station

Vs

State represented by
The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
(Crime No.1150 of 2021)
U/S.341, 147, 148 and 302 IPC

... Respondent/ Complainant

For Petitioner : Mr.K.Sivabalan,
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.1150 of 2021 on the file of the Respondent police.

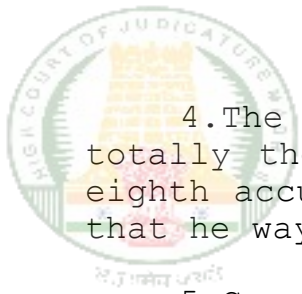
ORDER : The Court made the following order :-

The petitioner/A.8, who was arrested and remanded to judicial custody on 14.12.2021 for the offences punishable under Sections 341, 147, 148 and 302 IPC, in Crime No.1150 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 with aruval. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner's name does not find place in the First Information Report, but subsequently, he has been falsely implicated, based upon on the confession statement alleged to have given by the co-accused and he has no connection whatever with the alleged occurrence. He would further submit that the seventh accused was already released

<https://hcservices.courts.gov.in/hcservices/> On Bail in Cr.P.No.373 of 2020 dated 09.02.2022.



4.The learned Additional Public Prosecutor would submit that totally there are eleven accused and the petitioner is arrayed as eighth accused and that overt act alleged against the petitioner is that he waylaid the deceased.

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 14.12.2021 and also the facts that the petitioner is not having any bad antecedents and that the seventh accused was already released on bail by the District Court, 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.VI, Trichy.

(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/-
14/02/2022

/ TRUE COPY /

/ /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.VI,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUVERUMBUR POLICE STATION, TRICHY DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

+1 CC to Mr.K.SIVABALAN, Advocate (SR-1075[I] dated 14/02/2022)

ORDER

IN

CRL OP(MD) No.3138 of 2022

Date :14/02/2022

CSM

RS/VR/SAR.IV/14.02.2022/3P/7C