



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/05/2022

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD).Nos.7644, 8619 and 8625 of 2022

WEB COPY

Ramar ... Petitioner / Accused No.7
in CRL OP(MD).No.7644 of 2022

Jeyalakshmi ... Petitioner / Accused No.3
in CRL OP(MD).No.8619 of 2022

Tamilselvi ... Petitioner / Accused No.5
in CRL OP(MD).No.8625 of 2022

Vs

State represented by,
The Inspector of Police,
Thideer Nagar Police Station,
Madurai District.
(Crime No.104/2022).

... Respondent/Complainant
in all petitions

For Petitioner : M/s.Eswaran.M, Advocate
in CRL OP(MD).No.7644 of 2022
M/s.M.Jegadeesh Pandian, Advocate
in CRL OP(MD).No.8619 & 8625 of 2022

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor (in all petitions)

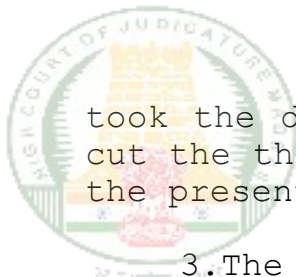
PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :- For Bail in Crime No.104 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused Nos.3, 5 and 7 who were arrested on 03.04.2022 and 05.03.2022 respectively, for the offences under Sections 147, 148, 364, 294(b), 302 and 506(ii) of IPC in Cr.No.104 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the daughter of the first accused and the son of the deceased were in love and they got married without the knowledge of both side parents. They both are belong to different communities. The marriage was opposed by the girl's family. Therefore, the accused persons decided to do away with the life of the deceased Ramachandran and his son. Therefore, they



took the deceased in an auto along with them and the first accused cut the throat of the deceased. Thereby committed the murder. Hence the present complaint has been filed.

3.The respective learned counsel for the petitioners would submit that the petitioners herein were not travelled with the Accused Nos.1,2,4 and 6 in the auto and committed the murder and the petitioners herein were not available in the scene of occurrence. Based on the confession statement of the accused persons, they have been implicated in this case. The petitioners herein were in custody for the past 35 days and more than 60 days respectively.

4.The learned Additional Public Prosecutor would submit that investigation is pending and not yet completed. There is some specific overt act as against the petitioners herein and they had conspiracy with the main accused person to do away the deceased. Hence he vehemently opposed the grant of bail to the petitioners herein.

5.Considering the nature of the case and considering the fact that accused Nos.1,2,4 and 6 were travelled in the auto and the petitioners herein were not available in the scene of occurrence, and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai District and on further condition 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 petitioners shall report before the Cantonment police Station, Trichy, daily at 10.30 a.m., until further orders;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***; and;



(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/05/2022

/ TRUE COPY /

WEB COPY

11/05/2022

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.V, MADURAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
THIDEER NAGAR POLICE STATION,
MADURAI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
5. THE OFFICER-INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :

THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION, TRICHY.

+2 CC to M/s.M.ESWARAN, Advocate (SR-4592[I] dated 11/05/2022)
+1 CC to M/s.M.ESWARAN, Advocate (SR-4614[I] dated 12/05/2022)

ORDER
IN
CRL OP(MD).Nos.7644, 8619
and 8625 of 2022
Date :11/05/2022

pnn/sn
USK/PN/SAR-IV/11.05.2022/3P/11C

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