



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

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.8614 of 2022

1.S.Silambarasan
2.T.Karuppasamy

... Petitioners/Accused Nos.2 and 5

Vs

The State represented by
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.111/2022).

... Respondent/Complainant

For Petitioner : M/s.S.Jeevanandham,
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.111 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and 5 who were arrested on 10.03.2022 for the offences under Sections 147, 323, 294(b), 324, 506(i) and 302 of IPC, in Cr.No.111 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners said to have attacked the deceased and done to death, since the deceased involved in vehicle theft in the village. Hence the present complaint has been filed against the petitioners.

3.The learned counsel for the petitioner submitted that the petitioners are innocents. They have been implicated in this case based on the confession of the first accused. The petitioners' name have been wrongly included in this case by the respondent police.

4.The learned Additional Public Prosecutor submitted that no previous case is pending against the petitioners. They have been in custody for more than 60 days.



5. Considering the nature of the case and 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 his 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, Melur, 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 respondent police 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 /

11/05/2022

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

pnn / sn

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,
MELUR, MADURAI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE
MELUR 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 M/S.JEEVANANDHAM S Advocate SR.No.4584

ORDER

IN

CRL OP(MD) No.8614 of 2022

Date :11/05/2022

SS/PN/SAR:IV/11.05.2022 : 3P/7C