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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 08/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP(MD)No.11048 of 2022

Saravanakumar : Petitioner/A2

Vs.

State rep. By
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.166 of 2022) : Respondent/Complainant

For Petitioner : Mr.A.K.Azagarsamy

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

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

PRAYER :- C-31B.For Bail in Crime No.116 of 2022 on the
file of the Respondent Police.

ORDER : The Court made the following order:-



The petitioner, who is arrayed as A2 was arrested, on 19/04/2022 and remanded to judicial custody for the alleged offences punishable under sections 147, 148, 341, 195(A) and 506(ii) IPC, in Crime No.166 of 2022, seeks bail.

2.The case of the prosecution is that the de-facto complainant has lodged a complaint stating that his brother by name Manivannan was brutally killed by Sakthivel, Vetrivel Michal and Puli @ Puli Karthik. In the above said occurrence, the de-facto complainant was also assaulted. But however, he recovered. In respect of the above said occurrence, a case in Crime No. 99 of 2022 was registered for the offences under sections 147, 148, 294(b), 342, 307 and 302 IPC. After the above said occurrence, the present occurrence said to have taken place, on 14/02/2022, some unknown persons were following the de-facto complainant and his family members. They were also following the employees of the shop and threatened them not to give any evidence against them. Some of the persons were arrested and were in prison. On the previous day of night at about 8.45 pm, the de-facto complainant along with his sister's son were proceeding



to Esanur, at that time, the above said persons followed them and criminally intimidated and warned them to withdraw the case at the knife point. The accused Dhanapal and Dhanasakar were not arrested so far. The accused Puli @ Puli Karthick is involved in some other offences also. So on the basis of the complaint, CSR No. 629 of 2022 was registered, on 20/04/2022. After the enquiry, FIR was registered, on 30/04/2022. This petitioner was arrested, on 30/04/2022 and remanded to judicial custody.

3. Seeking bail, this petition has been filed.

4. Heard both sides.

5. Without going into other aspects, it is seen that the petitioner is in prison for more than the statutory period, that is from 30/04/2022. On that ground only, this petitioner is entitled for bail.

6. But however, since the cancellation of the bail applications in CrI.OP(MD)No.8415 of 2022 is pending for consideration, this bail will be subject to the result of



the cancellation of bail petitions pending consideration. Since CD file requires to be produced in respect of Crime No.99 of 2022, separate order will be passed in the other criminal original petitions viz., CrI.OP(MD)Nos. 8415, 8420 to 8423 of 2022.

7.But however, considering the fact that the petitioner is in custody for more than the statutory period, this court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.1, Sivagangai and on further condition that the petitioner shall stay at Srirangam, Trichy and report before the Judicial Magistrate, Srirangam, Trichy, daily at 10.30 am until further orders.

08/07/2022

Index:Yes/No
Internet:Yes/No
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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 Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The District Jail,
Ramnad.



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6

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Cr1.OP (MD) No.11048 of 2022

08/07/2022



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8

Crl.OP(MD)Nos.8415, 8420j to 8423 of 2022

G.ILANGOVAN, J

The learned Additional Public Prosecutor is directed to produce the entire CD file in connection with Crime No.92 of 2022.

Call on 12/07/2022.

08/07/2022

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