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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15703 of 2022

Balathandayutham

... Petitioner/Accused No.7

Vs

The State rep.by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District
(Crime No.198 of 2022)

... Respondent/Complainant

For Petitioner : Mr.A.Balaji,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-For Bail in Crime No.198 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 29.06.2022 for the alleged offence under Sections 342, 302, 109 and 506(ii) IPC, in Crime No.198 of 2022, on the file of the respondent police, seeks bail.

2. It is seen that earlier petition filed by the petitioner was dismissed by this Court on 11.08.2022 in Crl.O.P(MD).No.13428 of 2022 and it is a second bail petition.

3. The petitioner has filed the present petition on the ground that the involvement of the petitioner was very much mentioned in the First Information Report and that he was not present in the scene of occurrence. He further submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.



4.The learned Additional Public Prosecutor submitted the co-accused viz., A3 and A4 has already been enlarged on bail since they are juveniles and the other accused are still in custody.

5.Considering the fact that the petitioner has not at all present in the scene of occurrence and that he has only trespassed into the house of the deceased along with co-accused and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 learned Judicial Magistrate, Manamadurai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

01/09/2022

/ TRUE COPY /

02/09/2022

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

TO

1 THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

4 THE INSPECTOR OF POLICE
MANAMADURAI POLICE STATION, SIVAGANGAI DISTRICT

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

+1 CC to M/s.A.BALAJI, Advocate (SR-9396[I] dated 01/09/2022)

ORDER

IN

CRL OP(MD) No.15703 of 2022

Date :01/09/2022

TRP

MK/SVR/SAR.II/02.09.2022/2P/7C