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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17483 of 2022

V.Isakikumar @ Karuppukumar

... Petitioner/Accused No.6

Vs

State Rep.by
The Inspector of Police,
Lalapet Police Station,
Karur District.
Crime No.399 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Muthu K.Mu., Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

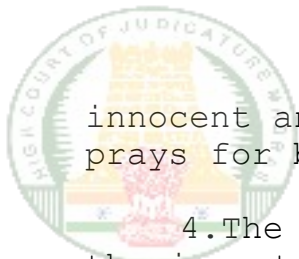
To enlarge the petitioner on bail in P.R.C.No.3 of 2022 on the file of the learned Judicial Magistrate No.I, Kulithalai in connection with Crime No.399 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A6, who is facing a case for the offence punishable under Sections 302 IPC @ 109, 120(B), 147, 148, 212 and 341 IPC in P.R.C.No.3 of 2022 on the file of the learned Judicial Magistrate No.I, Kulithalai in crime No.399 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. Hence, the complaint.

3.The learned counsel for the appearing for the petitioner would submit based on the confession statement of the co-accused, this petitioner and 12 more persons have been arrayed as accused in this case. Subsequently, the petitioner was detained under Act-14 and the same was revoked by this Court in H.C.P.(MD)No.85 of 2022, dated 09.07.2022. He would further submit that the petitioner is



innocent and he is in judicial custody from 07.10.2021 and he prays for bail.

4.The learned Additional Public Prosecutor would submit that the investigation has been completed and final report has been filed before the learned Judicial Magistrate No.I, Kulithalai and thereafter, the case has been committed and taken on file as S.C.No.30 of 2022 before the Principal District Judge, Karur. He would further submit that the petitioner is having 28 previous cases and hence, he strongly opposed to grant bail to the petitioner.

5.Considering the above facts and circumstances of the case and also considering the period of incarceration and also the fact that the case has been committed and taken file as S.C.No.30 of 2022 before the Principal District Judge, Karur, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Kulithalai, Karur District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge/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 trial Court on all working days 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 Sessions Judge/concerned 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 Sessions Judge/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/-

30/09/2022

/ TRUE COPY /

30/09/2022

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, 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.

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- TO
- 1 THE PRINCIPAL DISTRICT JUDGE, KARUR.
 - 2 THE JUDICIAL MAGISTRATE NO.1, KULITHALAI.
 - 3 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
 - 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY DISTRICT.
 - 5 THE INSPECTOR OF POLICE, LALAPET POLICE STATION, KARUR DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.MU.MUTHU, Advocate (SR-10868[I] dated 30/09/2022)

ORDER
IN
CRL OP(MD) No.17483 of 2022
Date :30/09/2022

SJI
RS/VR/SAR.2(30.09.2022) 3P-8C