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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.4790 of 2023

Velu @ Vetrivel

... Petitioner/Accused No.6

Vs

The State,
Rep. By the Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
Crime No.271/2022.

... Respondent/Complainant

For Petitioner : Mr.R.Pon Karthikeyan
For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr No.271/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A6, who were arrested and remanded to judicial custody on 02.12.2022 for the offence punishable under Sections 147, 148, 302 IPC in Crime No.271 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that due to previous motive, while the brother of the defacto complainant namely Rathinavel Pandian and one Sabarimalai were travelling in a motor bike on 23.11.2022, the accused waylaid and murdered them. Hence, the case.

3. Heard. Perused the materials available on record including the First Information Report.

4. The petitioner herein is arrayed as A6. In this case investigation has been completed and final report has been filed before the learned Judicial Magistrate, Aruppukotti and taken



cognizance in PRC No.11 of 2022 and the case is pending committal. Taking into consideration of the facts circumstances of the case and also taking into consideration the period of incarceration this court is inclined to grant bail to the petitioner subject to the following conditions:

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[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aruppukottai and on further conditions that:

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., until further orders.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial 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 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

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

TO

1 THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI



3 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE
DISTRICT JAIL, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.PON KARTHIKEYAN R Advocate SR.No.4205

ORDER
IN
CRL OP(MD) No.4790 of 2023
Date :14/03/2023

SS/SBN/14/03/2023/3P/7C