



WEB COPY

CRL OP(MD). No.4648 a



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/03/2023

PRESENT

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

CRL OP(MD). No.4648 and 4668 of 2023

Karthick

..Petitioner/accused No.3
in CrI.O.P(MD) No.4648 of 2023

Sakthivel @ Auto sakthi

..Petitioner/accused No.2
in CrI.O.P(MD) No.4668 of 2023

Vs

The State rep.by,
The Inspector of Police,
Kollidam Police Station,
Trichy District.
Crime No.272 of 2022..

... Respondent/Complainant
in both petitions

(In both petitions)

For Petitioner : M/s.G.Manikandan,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

COMMON PRAYER :-

For Bail in Crime No.272 of 2022 on the file of the Respondent Police

COMMON ORDER : The Court made the following order :-

The petitioners /A3 and A2 who were arrested and remanded to judicial custody on 27.12.2022 for the offence under section 302 of IPC in Crime No.272 of 2022 on the file of the respondent police

<https://www.mca.gov.in/dis>



2. The case of the prosecution is that the first accused's relative was murdered by the deceased, in which the deceased is the main accused. In order to do away the life of the deceased the first accused had engaged other four persons to murder the deceased, therefore they have attacked the deceased with deadly weapons, due to which he sustained injuries and died.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. There are totally five accused in this case and the petitioners herein are arrayed as A2 and A3. A1 to A3 were arrested and remanded to judicial custody on 27.12.2022 and A4 and A5 are still absconding. Further the petitioners are in custody for more than 70 days. That apart A1 only engaged these petitioners to do away the life of the deceased. Further it is a case of retaliation murder. Considering the above facts and circumstances of the case and also the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Srirangam, Trichy 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 petitioners shall at Pollachi and report before the Pollachi west police station daily at 10.30 a.m., and 5.30pm., for a period of four weeks and thereafter before the respondent police at 10.30 a.m., and 5.30 pm., until further orders.

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

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

[f] the petitioners 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 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



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

sd/-
13/03/2023

WEB COPY

/ TRUE COPY /

13/03/2023

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

aav

TO

- 1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SRIRANGAM, TRICHY
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3.THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4.THE INSPECTOR OF POLICE,
KOLLIDAM POLICE STATION,
TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE INSPECTOR OF POLICE,
POLLACHI WEST POLICE STATION,
POLLACHI.

ORDER
IN

CRL OP(MD). No.4648 and 4668 of 2023
Date :13/03/2023

RK/SBN/SAR-(13/03/2023) 3P/7C