



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/04/2023

PRESENT

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

CRL OP(MD). Nos.7040 and 7041 of 2023

Nagenthiran @ Nagu ... Petitioner/Accused Rank not known
in Crl.O.P(MD) No.7040 of 2023

Ajaikumar ... Petitioner/Accused Rank not known
in Crl.O.P(MD) No.7041 of 2023

Vs

State represented by
The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(Crime No.271 of 2022.) ... Respondent / Complainant
in both petitions

(In both petitions)

For Petitioners : M/s.Senthilkumar R, Advocate.

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

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

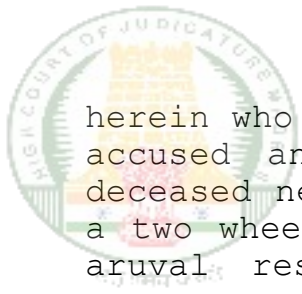
COMMON PRAYER :-

For Bail in Cr.No.271 of 2022 on the file of the Respondent
Police.

COMMON ORDER : The Court made the following order :-

The petitioners /Accused who were arrested and remanded to
judicial custody on 25.11.2022 for the offences under sections
147,148,302 of IPC in crime No.271 of 2022 on the file of the
respondent police seek bail.

2. The case of the prosecution as per the defacto complainant
is that on account of previous enmity due to murder of one Rakammal
the relative of said Rakammal had in retaliation committed the
murder of one Sabarimalai and his brother Rathinavelpandian. During
the process of investigation it came to light that the petitioner



herein who is the relative of Rakammal had conspired with A4 to A7 who had waylaid the deceased near Ramalinga Mill, Arupukottai while they were coming in a two wheeler and they have indiscriminately assaulted them with aruval resulting in their instantaneous death, hence the case.

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

4. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration and also the fact that some of the co-accused were granted bail by this Court, 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Arupukottai 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 in Crl.O.P(MD) No.7040 of 2023 shall stay at Namakkal and report before the Namakkal Police Station daily at 10.30 am. and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30 am., until further orders. The petitioner in Crl.O.P(MD) No.7041 of 2023 shall stay at Coimbatore and report before the Peelamedu Police Station daily at 10.30 am. and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30 am., 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



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

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18/04/2023

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

AAV

To

1.The Judicial Magistrate,
Aruppukottai.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

4.The Officer Incharge,
District Jail, Virudhunagar.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

1.The Inspector of Police,
Namakkal Police Station,
Namakkal District.

2.The Inspector of Police,
Peelamedu Police Station,
Coimbatore District.

+2 CC to M/s.R.SENTHILKUMAR, Advocate (SR-5970 & 5971[I] dated
18/04/2023)

ORDER
IN
CRL OP (MD) . Nos.7040 and
7041 of 2023
Date :18/04/2023