



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

Date : 17/04/2023

PRESENT

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

CRL OP(MD) . No.6994 of 2023

Anandakumar.P

... Petitioner/Accused No.3

Vs

The State rep. by
The Inspector of Police,
Ammaiyanaickanur Police Station,
Dindigul District.
Crime No. 59/2020.

... Respondent/Complainant

For Petitioner : M/s.Saravana Kumar S,
Advocate.

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

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

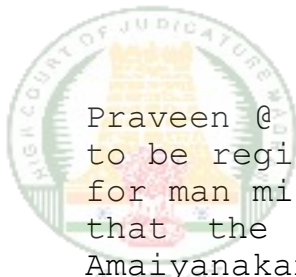
PRAYER :-

For Bail in Cr No.59/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A3 who was arrested and remanded to judicial custody on 08.03.2023 for the offences under sections 174 Cr.P.C @ 302 of IPC in Crime No.59 of 2020 on the file of the respondent police seeks bail.

2. The defacto complainant in this case is the Village Administrative Officer of Pallapatti Village. The case of the prosecution is that on 12.03.2020 at about 2.00 pm., while she was in duty in her office, she received information through her village Assistant that an unidentified male body aged about 25 to 30 years with fracture injuries on the left thigh was found laying with under wear, based on that she had given information to the respondent police and a case was registered in Crime No.59 of 2020 for the offence under section 174 of Cr.P.C. During the relevant



Praveen @ karuppsamy was missing from his home on 17.03.2020. He was to be registered by the Usilampatti Police in Crime No.2083 of 2020 for man missing. During the course of investigation it came to light that the dead body which was found within the limits of the Amaianakanur Police Station is the son of the defacto complainant in Crime No.2083 of 2020. The respondent police continued with the investigation and it came to light the accused persons having grudge against the deceased on account of financial dispute and also dispute with regard to dealing of drugs, committed the murder of the deceased and after committing the murder had removed the dress of the deceased had thrown the body within the limits of the Amaianakanur police station, hence the case.

3. The learned Additional Public Prosecutor would submit that there were circumstances as against the petitioner that he had murdered the deceased. The petitioner is also a married person and eloped with the sister of the deceased. That apart there was money transaction between them. The petitioner already involved in 14 previous cases.

4. The learned counsel for the petitioner would submit that the initially First Information Report was registered under section 174 of Cr.P.C. The Crime is of the year 2020. According to the case of prosecution there are totally three accused in this case and A1 and A2 were released on bail who were standing on the same footing. He would further submit that the petitioner is facing trial in only one case and other cases ended in acquittal. Further there is no eye witness to the said occurrence and the petitioner was arrested on 08.03.2023 and he is still in judicial custody.

5. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

[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, Nilakottai, Dindigul District 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.

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[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/-
17/04/2023

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17/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1. The Judicial Magistrate, Nilakottai, Dindigul District.
2. Do through the Chief Judicial Magistrate, Dindigul.
3. The Officer In-Charge, District Jail, Dindigul.
4. The Inspector of Police, Ammaiyaanackanur Police Station, Dindigul District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6994 of 2023
Date : 17/04/2023

NA/BUC/SAR- /17.04.2023/3P/6C

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