



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/06/2023

PRESENT

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

CRL OP(MD) . No.8808 of 2023

1. Gajendran
2. Rajapandian
3. Siva

... Petitioners/Accused Nos.3,4 & 5

Vs

State Rep.by  
The Inspector of Police,  
Lalgudi Police Station,  
Trichy District.  
(Crime No.194 of 2023).

... Respondent/Complainant

For Petitioners : M/s.M.Jerin Mathew, Advocate.  
For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.194 of 2023 on the file of the Respondent Police

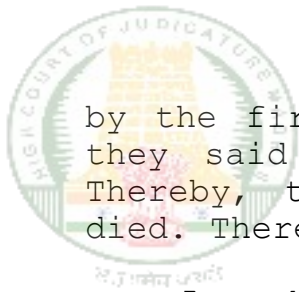
ORDER : The Court made the following order :-

The petitioners /A3 to A5 who were arrested and remanded to judicial custody on 19.04.2023 for the offence under section 147, 149, 294(b), 323 and 304(2) of IPC, in Crime No.194 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioners along with other accused said to have attacked the defacto complainant and his father and brothers and abused them with filthy language. Hence, the case.

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

4. It is seen that totally there are 6 accused. In which, the petitioners are arrayed as A3 to A5. The defacto complainant taken videogram of the first accused's sister and the same was questioned



by the first accused along with his friends namely, A2 t and they said to have attacked and kicked the deceased with legs. Thereby, the deceased fell down and suffered fix. Therefore, he died. There was no motive behind the crime.

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 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, Lalgudi, 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 report before the respondent police daily at 10.30 A.M. and 5.30 P.M., for a period of four weeks and thereafter, as and when required for interrogation;

[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 SCW 5560].

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

sd/-

08/06/2023

/ TRUE COPY /

08/06/2023

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

AAV



TO

1 THE JUDICIAL MAGISTRATE, LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY DISTRICT.

4 THE INSPECTOR OF POLICE, LALGUDI POLICE STATION, TRICHY DISTRICT.

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

+1 CC to M/s.M.JERIN MATHEW, Advocate ( SR-8339[I] dated  
08/06/2023 )

ORDER

IN

CRL OP(MD) No.8808 of 2023

Date :08/06/2023

RS/VR/SAR-(08.06.2023) 3P 7C