



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2023
PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9233 of 2023

Muthukumar,

... Petitioner/Accused 6

Vs

The State rep.by
The Inspector of Police,
Anna Nagar Police Station,
Madurai City,
Madurai District.
Crime.No.153/2023.

... Respondent/Complainant

For Petitioner : M/s. Gopala Krishnan.T,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.153 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

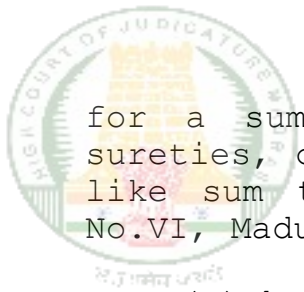
The petitioner who was arrested on 10.03.2023 for the offences under Sections 147, 148, 302, 342, 427 and 452 of IPC ,in Cr.No.153 of 2023, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that due to previous enmity the accused persons tress passed into the house of the defacto complainant and made severe assault upon the defacto complainant's husband, which ended in his death. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Moreover, the petitioner is in custody for more than 70 days. Hence, he prays bail.

4.The learned Additional Public Prosecutor on instructions would submit that investigation is pending.

5.Considering the period of incarceration, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond



for a sum of Rs.10,000/- (Rupees Ten Thousand Only) to sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Madurai and on further condition that:

(a) 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;

(b) the petitioner shall report before the respondent police twice daily at 10.30 a.m. in the morning and 05.00 p.m. in the evening, for a period of two months, thereafter on 10.30 a.m., on every Saturday, until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

18/05/2023

/ TRUE COPY /

19/05/2023

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

TM

TO

1 THE JUDICIAL MAGISTRATE NO.6,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.



4 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S. GOPALA KRISHNAN.T Advocate SR.No.7646

ORDER

IN

CRL OP(MD) No.9233 of 2023

Date :18/05/2023

SA/CG/SAR. /19.05.2023/3P/7C