



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/05/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9338 of 2023

Sundar

... Petitioner/Accused No.4

Vs

State through
The Inspector of Police,
Uthappanaickanur Police Station,
Madurai District.
(Crime No.26 of 2023)

... Respondent/Complainant

For Petitioner : Mr.C.Prithivraj, Advocate.
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.26/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

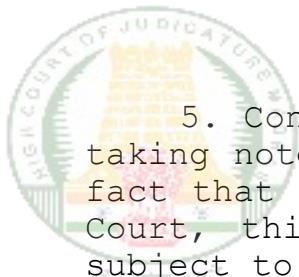
The petitioner /A4 who was arrested and remanded to judicial custody on 21.02.2023 for the offences under section 302 I.P.C, in Crime No.26 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that there was money transaction between the first accused and the deceased and when the deceased demanded the money, the first accused conspired with the other accused and committed the murder. Hence the case.

3. The learned Additional Public Prosecutor appearing for the State would submit that investigation is almost completed and the charge sheet has been laid and the same was taken on file in P.R.C.No.13 of 2023, dated 15.05.2023 on the file of the learned Judicial Magistrate, Usilampatti. He would further submit that the co-accused were already released on bail.

4. Heard the learned counsel for the petitioner and also the learned Additional Public Prosecutor.

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



5. Considering the facts and circumstances of the case taking note of the period of incarceration and also considering the fact that the charge sheet has been filed before the jurisdictional Court, this court is inclined to grant bail to the petitioner , subject to the following conditions:

6. 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) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.II, Usilampati, Madurai District and on further conditions 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 daily at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 is 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].

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

sd/-

25/05/2023

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25/05/2023

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

das

TO

1 THE JUDICIAL MAGISTRATE NO.II, USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, UTHAPPANAICKANUR POLICE STATION,
MADURAI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, THENI DISTRICT.



CRL OP(MD).



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

+1 CC to M/s.PRITHIVRAJ.C, Advocate (SR-7849[I] dated 25/05/2023)

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ORDER

IN

CRL OP (MD) No.9338 of 2023

Date :25/05/2023

RS//SAR-(25.05.2023) 3P 7C