



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/06/2023
PRESENT

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

CRL OP(MD) . No.9782 of 2023

Deepan Singh

... Petitioner/Accused 3

Vs

The State rep.by
The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
Crime No.17 of 2023

... Respondent/Complainant

For Petitioner : Mr.R.ILAYARAJA
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.17 of 2023 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 04.03.2023 for the offences punishable under Sections 342, 294(b), 506(ii) and 302 of IPC in Crime No.17 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive on 11.02.2023, all the accused persons joined together and attacked the deceased and caused his death. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen from the records that there was a fishing right dispute between the petitioner and the deceased. Now the investigation has been completed and the final report has already been filed and the same is pending for committal in P.R.C.No.39 of 2023 on the file of the learned Judicial Magistrate, Radhapuram.



5.Considering the above facts and circumstances of the and also considering the period of incarceration undergone by the petitioner, 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Radhapuram, 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 learned Judicial Magistrate, Radhapuram daily at 10.30 A.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.

[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/-

06/06/2023

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06/06/2023

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

SJI

TO

1 THE JUDICIAL MAGISTRATE,
RADHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THE RUDHIMULI DISTRICT.

<https://www.madrashighcourt.gov.in>



3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.ILAYARAJA R Advocate SR.No.8083

ORDER

IN

CRL OP(MD) No.9782 of 2023
Date :06/06/2023

SA/SSS/SAR. /06.06.2023/3P/7C