



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/06/2023
PRESENT

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

CRL OP(MD) . No.9645 of 2023

1. Kuppusamy,

2. Anandharaj,

... Petitioners/Accused No.1 & 2

Vs

The Inspector of Police,
Lalgudi Police Station,
Trichy District.
Crime No.194 of 2023.

... Respondent/Complainant

For Petitioner : M/s.JERIN MATHEW M,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Government Advocate (Crl.Side)

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.

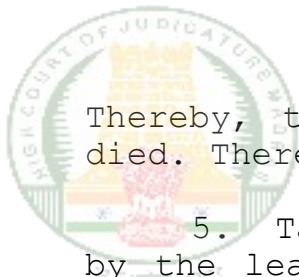
ORDER : The Court made the following order :-

The petitioners /Accused No.1 & 2 who were arrested and remanded to judicial custody on 20.04.2023 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 A1 and A2. The defacto complainant taken videograph of the first accused's sister and the same was questioned by the first accused along with his friends namely, A2 to A6 and they said to have attacked and kicked the deceased with legs.



Thereby, the deceased fell down and suffered fix. Therea died. There was no motive behind the crime.

5. Taking into consideration of 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/-

05/06/2023

/ TRUE COPY /

05/06/2023

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



DSS
TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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.JERIN MATHEW M Advocate SR.No.8070

ORDER

IN

CRL OP(MD) No.9645 of 2023

Date :05/06/2023

SA/VR/SAR. /05.06.2023/3P/7C