



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.9986 of 2023

Karthi @ Sappankarthi,

... Petitioner/Accused 5

Vs

The State rep.by
The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
Crime No.84/2023.

... Respondent/Complainant

For Petitioner : M/s.MURUGAN R,
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.84/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A5 who was arrested and remanded to judicial custody on 28.03.2023 for the offence under sections 147,148,294(b), 302 and 324 of IPC in Crime No.84 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to previous enmity the accused persons indiscriminately attacked the son of the defacto complainant and caused his death, hence the case.

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

4. It is seen that there was group clash between the petitioner and the deceased with regard to illegal sand quarry. Initially the deceased attacked the first accused and as such all the accused persons joined together and attacked the deceased, therefore he sustained injuries and died. Infact after murder one of the relative



of the deceased also attacked the accused persons, for which a case has also been registered. 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 petitioner, subject to the following conditions:

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[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 blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Ramanathapuram 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 stay at Namakkal and report before the Namakkal Police Station respondent police daily at 10.30 A.M. and 5.30P.M., for a period of four weeks and thereafter before the respondent police daily at 10.30 am., 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.

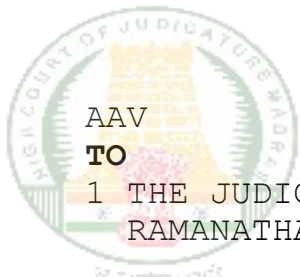
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08/06/2023

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08/06/2023

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



AAV

TO

1 THE JUDICIAL MAGISTRATE COURT NO.I,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON,
RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
NAMAKKAL POLICE STATION,
NAMAKKAL.

+1. CC to M/S.MURUGAN R Advocate SR.No.8304 **(I)** Dt.08/06/2023

ORDER

IN

CRL OP(MD) No.9986 of 2023

Date :08/06/2023

SA/VR/SAR. /08.06.2023/3P/8C