



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/06/2023
PRESENT

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

CRL OP(MD). No.10617 of 2023

1. Vijayakumar,

2. Venkateshwaran,

... Petitioners/Accused 4 & 5

Vs

The State rep.by
The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
(In Crime No.63 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Jegadeesh Pandian M,
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.63 of 2023 on the file of the Respondent police

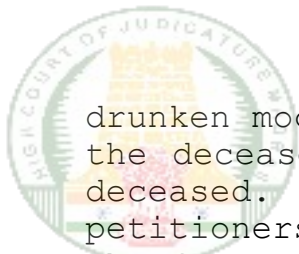
ORDER : The Court made the following order :-

The petitioners/accused 4 and 5 who were arrested and remanded to judicial custody on 03.04.2023 for the offences under sections 448, 302 @ 109, 120(B), 177, 450, 302 of IPC in Crime No.63 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 30.03.2023, when the deceased was slept in a room after having food, the defacto complainant heard some noise inside the room and found that one person went away with a knife and her son with the cut injuries. He was taken to Government Hospital, soorakudi. There he was declared as dead. 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 exists dispute between the sisters, mother and son since the deceased used to come home always in a



drunken mood and quarrel with them, therefore they planned to kill the deceased and engaged other persons to do away the life of the deceased. There are totally nine accused in this case and the petitioners are arrayed as A4 and A5. 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, Karaikudi, Sivagangai District 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 stay at Karur and report before the Karur Town Police station daily at 10.30 a.m., and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30 am., until further orders

[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/-

15/06/2023

/ TRUE COPY /

15/06/2023

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



AAV
TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR.

+1 cc to M/s.Jegadeesh Pandian M, SR.NO.8875

ORDER

IN

CRL OP(MD) No.10617 of 2023
Date :15/06/2023

SA/SSS/SAR. /15.06.2023/3P/8C