



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/06/2023
PRESENT

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

CRL OP(MD). No.11091 of 2023

Nagaraj,

... Petitioner/Accused 4

Vs

The State rep.by
The Inspector of Police,
Annavasal Police Station,
Pudhukkottai District.
(Crime No.81 of 2023).

... Respondent/Complainant

For Petitioner : M/s.JEYAMOHAN K,
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.81 of 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 16.04.2023 for the offences under sections 147,148, 294(b),341,427,302 and 506(ii) of IPC in Crime No.81 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to previous enmity the brother of the defacto complainant was brutally attacked and murdered by the accused persons, hence the case.

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

4. It is seen that all the accused persons are family members. The first accused had illegal intimacy with the deceased, due to which there was dispute between A1's son and the deceased, hence he committed suicide. The first accused thought that only because of the deceased their son committed suicide, therefore all the family members joined together and attacked the deceased with deadly weapons, hence he died. Taking into consideration the facts and



submissions made by the learned counsels and also the fact of incarceration and also the fact that some of the co-accused were granted bail by this Court, 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, Ilupur 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 respondent police daily at 10.30 A.M. and 5.30P.M., for a period of four weeks and thereafter as and when required for interrogation.

[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/-

21/06/2023

/ TRUE COPY /

21/06/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE,
ILLUPUR.

<https://www.mhc.tn.gov.in/judis>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.

4 THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDHUKKOTTAI DISTRICT.

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

+1. CC to M/S.JEYAMOHAN K Advocate SR.No.9258 **(I)** Dt.21/06/2023

ORDER

IN

CRL OP(MD) No.11091 of 2023

Date :21/06/2023

SA/SSS/SAR. /21.06.2023/3P/7C