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CRL OP(MD). 1



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

PRESENT

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

CRL OP(MD). No.11978 of 2023

Thirumal,

... Petitioner/Accused No.4

Vs

rep

The Inspector of Police,
Fort Police Station, Trichy City,
Trichy
(Crime No.964 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Niranjana S.Kumar,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.964 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused who was arrested and remanded to judicial custody on 17.05.2023 for the offences under Sections 147, 148, 294(b), 323, 324 and 302 of IPC in Crime No.964 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution as per the defacto complainant is that due to previous motive, the accused persons attacked the deceased with wooden log, hence, the deceased succumbed to the injuries.

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



4. It is seen that the victim - deceased robbed a mob. and cash from this petitioner. Due to which, there was a dispute. The petitioner was working as Civil Labour based on the Contract on various places. They attacked him with wooden log and the deceased sustained grievous injuries and died.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, 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 blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Trichy, 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 station daily twice ie. morning at 10.30 A.M. and evening at 5.30 p.m., for a period of six 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/-
30/06/2023

/ TRUE COPY /

30/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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- 1 THE JUDICIAL MAGISTRATE NO.1
TRICHY
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 4 THE INSPECTOR OF POLICE
FORT POLICE STATION, TRICHY CITY, TRICHY
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-9972[I] dated 30/06/2023

ORDER
IN
CRL OP(MD) No.11978 of 2023
Date :30/06/2023

PKP/ /SAR- /30.06.2023/ **3P/7C**