



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/07/2023
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12415 of 2023

1. Shanmugam
2. Murugesan

... Petitioners/Accused 5 & 6

Vs

The State rep.by
The Inspector of Police,
Annavasal Police Station,
Pudukottai District.
Crime No.81/2023.

... Respondent/Complainant

For Petitioners : M/s. MOHAMED YEARSHAD.S,

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.81/2023 on the file of the respondent police.

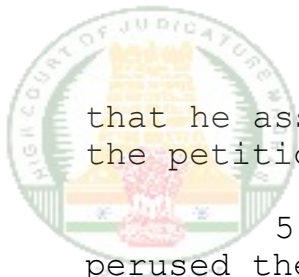
ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 19.04.2023 for the alleged offence under Sections 147, 148, 294(b), 341, 427, 302, 506(2) of IPC, in Crime No.81 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the brother of the defacto complainant was brutally assaulted and murdered by the accused persons on 16.04.2023, at 02.30 p.m. Hence the complaint.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they were falsely implicated in this case, based on the confession of co-accused. They have not committed any offence as alleged by the prosecution. Except the petitioners, all other accused have already been enlarged on bail. They are in custody from 19.04.2023. Hence, prays to enlarge them on bail.

4.The learned Additional Public Prosecutor submitted that the accused persons had brutally attacked and murdered the defacto complainant. The overt act attributed against the petitioner is



that he assaulted the deceased with Aruval. Hence, prays to the Court to grant bail to the petitioners.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

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6. Perusal of records show that in this case, except the petitioners, all other co-accused have already been enlarged on bail. The co-accused namely, A2 who had also assaulted the deceased with knife has been granted bail by order of this Court and the petitioner is also standing on the same footing. Considering the above facts and circumstances of the case and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail, on executing a personal 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, Illuppur, Pudukottai District**, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

07/07/2023

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07/07/2023

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

PNM

TO

1 THE JUDICIAL MAGISTRATE, ILLUPUR, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKKOTTAI.

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

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

ORDER IN

CRL OP(MD) No.12415 of 2023

Date : 07/07/2023

SA/SAR. /07.07.2023/2P/6C