



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/07/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12622 of 2023

1. Sasikumar

2. Vasantha Kumar

... Petitioners/Accused 1 & 2

Vs

The State rep.by
The Inspector of Police,
Thirumangalam Police Station,
Madurai.
(Crime No.138 of 2022).

... Respondent/Complainant

For Petitioners : M/s. MAHENDRAPATHY.S, Advocate

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

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

PRAYER :- To enlarge the petitioners/accused 1 and 2 on bail in S.C.No.317 of 2022 pending trial on the file of Learned IV-Additional District and Sessions Judge, Madurai.

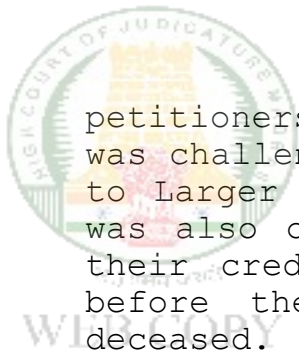
ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 12.04.2022 for the alleged offence under Sections 147, 148, 120(B), 109, 302 IPC, in Crime No.138 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, the accused persons had committed murder of deceased Ayyampandi. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents, they were falsely roped into the case, based on the previous enmity. They are in custody from 12.04.2022. Ever since from the date of arrest, they are in custody. Hence, prays to release them on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that after the arrest of the



petitioners, Act 14 was invoked and they were detained. ne was challenged before the Division Bench and the matter was referred to Larger Bench on point of law. However, their detention period was also over. The petitioners are having three previous cases at their credit. In this case, though final report has been filed before the trial Court, the accused persons had murdered the deceased. Hence, prays to dismiss the petition.

5.Perusal of records reveal that the petitioners were detained under Act 14 and though the same was challenged, the matter was referred to Larger Bench and their detention period is also over. Though the petitioners are having previous cases, considering the period of detention already undergone by the petitioners ever since from the date of their arrest and stage of completion of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and 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 **IV Additional District and Sessions Judge, Madurai**, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

14/07/2023

/ TRUE COPY /

14/07/2023

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

PNM

TO

1 THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.

2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
THIRUMANGALAM POLICE STATION, MADURAI.

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

+1. CC to M/S. MAHENDRAPATHY.S Advocate SR.No.10720 (I)
Dt.14/07/2023.

ORDER IN

CRL OP(MD) No.12622 of 2023
Date :14/07/2023

SA/VR/SAR. /14.07.2023/2P/6C

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