



WEB COPY



Crl.OP(MD)No.12413 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.12413 and 12419 of 2023

V.Soosai

... Petitioner/ Accused 4
in Crl.OP(MD)No.12413 of 2023

1.A.Francis

2.F.Justin Thiraviyam

3.F.Arulmuthu

... Petitioners/ Accused 1 to 3
in Crl.OP(MD)No.12419 of 2023

Vs

The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
Crime No.200 of 2023.

... Respondent/Complainant
In Both Petitions

IN BOTH PETITIONS:

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

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

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

COMMON PRAYER :- For Bail in Crime No.200 of 2023 on the file of the respondent
police

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



Crl.OP(MD)No.12413 of 2023

COMMON ORDER : The Court made the following ORDER :-

WEB COPY

The petitioners/ Accused herein, who were arrested on 15.06.2023 for the alleged offence under Sections 294(b), 302 IPC, in Crime No.200 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution as per the prosecution is that, due to property dispute, on 14.06.2023 at about 02.30p.m., the accused persons abused the deceased with filthy language, assaulted with wooden stick and pushed him, sustained injuries, he died at the spot. Hence, the case was registered based on the complaint of the defacto complainant/deceased's wife.

3.The learned counsel for the petitioners would submit that the petitioners are innocents, they were falsely roped into the case, based on the property dispute. Since the deceased also suffered from heart ailment, he died. They are in custody from 15.06.2023. Hence, prays to release them on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the accused persons had murdered the husband of the defacto complainant. Considering the nature of offence, prays to dismiss the petition.

5.Perusal of Post Mortem Certificate of deceased reveals that there was no external injury and there is no motive between the deceased and the petitioners to commit the offence of murder.



Crl.OP(MD)No.12413 of 2023

WEB COPY

6.Considering the above facts and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, these Criminal Original Petitions are 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 Judicial Magistrate, Ilayangudi, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
24/07/2023

/ TRUE COPY /

24/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO
1 THE JUDICIAL MAGISTRATE,
ILAYANGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



Crl.OP(MD)No.12413 of 2023

4 THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+2. CC to M/S. LOUIS.S. Advocate SR.No.11136 & 11137

ORDER
IN
CRL OP(MD). Nos.12413 and 12419 of 2023
Date :24/07/2023

SA/DD/SAR. /24.07.2023/4P/8C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023.