



CRL OP(MD). No.13351 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13351 of 2023

Sundarapandian

... Petitioner/ Accused No.3

Vs

The State represented by
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No.359 of 2023.
u/s 399 of IPC

... Respondent/ Complainant

For Petitioner : Mr.M.Suresh
Advocate.

For Respondent : B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.359 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/3rd Accused herein, who was arrested on 29.06.2023 for the alleged offence under Section 399 of IPC, in Crime No.359 of 2023, on the file of the respondent Police, seeks bail.



CRL OP(MD). No.13351 of 2023

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2.The case of the prosecution is that while the respondent Police in their regular patrol near Ponnumandurai, Pudupatti Colony Graveyard, they found that the petitioner and other accused preparing for committing a dacoity.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and due to the wreck vengeance, the petitioner has been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that because of involvement of offence under Section 302 IPC, the petitioner was detained under Act 14 and the above said order was revoked by the Division Bench of this Court in H.C.P. No.1788 of 2021, dated 27.04.2022. After disposal of the above said order, the present First Information Report has been registered on 29.06.2023, as if the petitioner along with co-accused assembled and conspired to commit robbery for the purpose of meeting out the expenses of above said murder case.

5. It is brought to the notice of this Court that except the above said murder case, no other complaint or case has been registered against this petitioner.



CRL OP(MD). No.13351 of 2023

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6. The learned Additional Public Prosecutor would submit that for the purpose of retaliation only, the petitioner along with other accused made conspiracy, but, there is no such thing found in the First Information Report.

7. Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions;

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 No.1, Dindigul**, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
21/07/2023

/ TRUE COPY /

21/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE NO.I
DINDIGUL

2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL

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

ORDER

IN

CRL OP(MD) No.13351 of 2023

Date :21/07/2023

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