



CRL OP(MD). No.13953 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13953 of 2023

S.Jeya Sooriya,

... Petitioner/ Accused 5

Vs

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

... Respondent/ Complainant

For Petitioner : M/s.HARI BASKAR G,
Advocate.

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

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 No.5 herein, who was arrested on 29.05.2023 for the alleged offence 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 is that on 28.05.2023 at about 9.30 p.m., the accused persons visited the defacto complainant's house and enquired about the deceased, who is the son of the defacto complainant, alleging that they are civil



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labours in kaveri Bridge at Trichy and by knowing so, the deceased stolen two mobile phones from them and also Rs.1,000/-. Then at about 11.00 p.m., the defacto complainant found all the accused near Kaveri Bridge at Trichy. All person scolded his son in filthy language and also made assault upon him. Thereby, he sustained injuries. When he was taken to Government Hospital, he was declared as dead. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. The petitioner is ranked as accused No.5.

4.The learned Additional Public Prosecutor submitted that there is no previous case against the petitioner. The deceased alleged to have stolen away the mobile phones belonged to the accused persons. Therefore, they made search upon him. While so, the deceased's mother came to the place of occurrence. In the presence of the mother of the deceased, he was done to death by the petitioners with wooden log and other weapons. The co-accused in this case has been released on bail.

5.This petition has been filed on the ground that the co-accused in this case has been released on bail by this Court by the order dated 30.06.2023 in CrI.O.P.(MD). No.11978 of 2023. Considering the period of incarceration, the fact that there is no previous case rcpending against the petitioner, the co-accused in this case has been



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released on bail and also considering the limited overt act attributed against the petitioner, this Court is inclined to grant bail to the petitioner with certain stringent conditions.

6. 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.I, Trichy and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
31/07/2023

/ TRUE COPY /

31/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO
1 THE JUDICIAL MAGISTRATE NO.I
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, THIRUCHIRAPPALLI.



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4 THE INSPECTOR OF POLICE,
FORT POLICE STATION,
TRICHY CITY.

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

+1. CC to G.HARI BASKAR, Advocate SR.No.11520 (I) DT.31/07/2023

ORDER
IN
CRL OP(MD) No.13953 of 2023
Date :31/07/2023

SA/VR/SAR. /31.07.2023/4P/7C
Madurai Bench of Madras High Court is issuing
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