



CRL OP(MD). No.13744 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 P.DHANABAL

CRL OP(MD). No.13744 of 2023

Parimalam Mayan @ Mayan Parimalam

... Petitioner/ Accused 12

Vs

The Inspector of Police,
CBCID South,
Pudukottai District.
Crime No.2 of 2023

... Respondent/ Complainant

For Petitioner : Mr.K.SUYAMBULINGA BHARATHI,Advocate

For Mr.S.ANANTHA MURUGAN,Advocate

For Respondent : Mr.M.SAKTHI KUMAR

Government Advocate(Crl.Side)

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

PRAYER :- For Bail in Crime No.2 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A12 who was arrested and remanded to judicial custody on 03.07.2023 for the offences punishable under Sections 174 of Cr.P.C @ 306 of IPC @ 120(b)and 306 of IPC in Crime No.2 of 2023 on the file of the respondent Police, seek bail.

2. The learned counsel appearing for the petitioner would contend that the

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respondent police have registered a false case against the petitioner and he was arrested on 03.07.2023 and still in custody. He would further submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that some of the co-accused were granted bail and even according to the case of the prosecution no specific overt act has been attributed as against the petitioner, hence he may be granted bail.

3. The learned Government Advocate(Crl.Side) would contend that the case is under investigation and this petitioner also shared the amount obtained from the deceased. He also directly participated in the crime, hence he strongly objected to grant bail to the petitioner.

4. Heard both side and perused the materials available on record.

5. Considering the rival submissions on either side and considering the fact that already main accused was released on bail and also considering the date of registration of the First Information Report and also considering the period of incarceration and all other aspects, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II,

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Pudukottai and on further conditions that:

[b] the petitioner shall report before the Inspector of Police, CBCID, Sivagangai daily at 10.00 A.M. until further orders.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
31/07/2023

/ TRUE COPY /

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



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AAV
TO

1 THE JUDICIAL MAGISTRATE COURT NO.2, PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI DISTRICT.

4 THE INSPECTOR OF POLICE,
CBCID SOUTH,
PUDUKKOTTAI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
CBCID, SIVAGANGAI.

ORDER
IN

CRL OP(MD) No.13744 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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