



CRL OP(MD). No.13880 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13880 of 2023

Mayalagu

... Petitioner/ Accused No.2

Vs

The State rep.by,
The Inspector of Police,
South Gate Police Station,
Madurai District.
(In Crime No.236 of 2023).

... Respondent/ Complainant

For Petitioner : M/s. Vadivelan.S, 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.236 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 28.05.2023 for the



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alleged offence under Sections 302 IPC @ 120(b), 302 IPC, in Crime No.236 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that since the deceased was loving the petitioner's daughter, trouble arose between them. The petitioner along with his son, conspired together, brutally assaulted with aruval and murdered the deceased. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in the case, since there was an enmity between the deceased and the petitioner. The petitioner is a physically challenged person and in custody from 28.05.2023. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor submitted that since there was a love affair between the petitioner's daughter and the deceased, there was a trouble between them and the accused persons conspired together and committed murder. The petitioner has supplied arms to his son/A2. The co-accused is in custody. The investigation is not yet completed. Hence, prays to dismiss the petition.



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5. Though the petitioner is a physically challenged person, considering the nature of gruesome murder committed by the petitioner along with the co-accused, nature of overt act attributed against the petitioner, this Court finds that this is not a fittest case to enlarge the petitioner on bail at the nascent stage of investigation. Since the co-accused is still in judicial custody, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

28/07/2023

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/08/2023

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

pnm

TO

1. THE SUPERINTENDENT,
CENTRAL PRISON,
DINDIGUL.

2 THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION,
MADURAI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.13880 of 2023
Date :28/07/2023

RK /MMS(04/08/2023) 4P / 4C

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