



CRL OP(MD). No.13909 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Prabakaran
2.Alagarsamy

... Petitioner/ Accused Nos. 9 and 10

Vs

State represented by
The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
Crime No.91 of 2023.

... Respondent/Complainant

For Petitioner : M/s.A.Kesavan,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.91 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused Nos.9 and 10 herein, who were arrested on
06.05.2023 and 09.05.2023 respectively, for the alleged offence under Sections 147,



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148, 450, 353, 307 and 506(ii) of IPC in Crime No.91 of 2023, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the defacto complainant and his friend Vignesh were arrested and remanded to judicial custody on 06.03.2023 in a murder case and the defacto complainant and his friend were admitted in the hospital for treatment. Thereafter, on 18.04.2023 at about 05.45 p.m., the petitioner along with other accused unlawfully assembled and attempted to murder the defacto complainant, while he was in lawful custody and also threatened to kill him. Hence the complaint.

3. The learned counsel for the petitioners submitted that the the petitioners are innocent, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Since the co-accused has been released on bail, they seek for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the co-accused has been enlarged on bail by this Court and similarly placed persons have also got bail and anticipatory bail, as the case may be.

5. The learned Additional Public Prosecutor, after verifying the fact would submit that the petitioners were detained under Act-14 originally and the said order was set aside by the Board, thereafter.



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6. Considering the period of incarceration and also considering the fact that co-accused have been already released on bail, this Court is inclined to grant relief to the petitioner.

7. 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.II, Virudhunagar, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
02/08/2023

/ TRUE COPY /

02/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
VIRUDHUNAGAR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUANGAR DISTRICT @ SRIVILLIPUTHUR.



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3 THE INSPECTOR OF POLICE
VIRUDHUNAGAR EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.A.KESAVAN, Advocate (SR-11648[I] dated 02/08/2023)

ORDER
IN

CRL OP(MD) No.13909 of 2023
Date :02/08/2023

PKP/ /SAR- /02.08.2023/ 4P/ 7C

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