



CRL OP(MD). No.13946 of 2023

WEB COPY

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.13946 of 2023

Mayakrishnan

... Petitioner/ Accused No.8

Vs

State Rep.by
The Inspector of Police,
South Gate Police Station,
Madurai City.
(Crime No.219 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Udhayakumar.R, 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.219 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.8 herein, who was arrested on 16.05.2023 for the alleged offence under Sections 147, 148, 341, 302 of IPC @ 120(b), 147, 148, 302 & 341 of IPC in Crime No.219 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that during the chithirai festival at Madurai, due to quarrel between the accused persons and the defacto complaint, the Accused Nos.1 to 5, attacked the deceased and caused greivous injuries, thereby, he died. 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.

4.The learned Additional Public Prosecutor would submit that it is a case of retaliation. Even the petitioner is not directly involved in the above said occurrence, as per the allegation that has been made by the prosecution, this petitioner also conspired with the co-accused for the purpose of committing the above said murder. Considering the direct involvement of the A1 to A5, bail application moved by them came to be dismissed by the Principal District Judge, Madurai. So far as co-accused namely A9 to A13 is concerned, considering the limited overt act, they have been granted bail. The learned Additional Public Prosecutor would further submit that this petitioner is also standing in the very same footing like that of A9 to A13. As per the information, he has watching movement of the deceased on the date of occurrence. The petitioner has no previous antecedents.

5.Considering the above said facts and circumstances of the case and the fact



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that similarly placed persons namely A9 to A13 were released on regular bail, this Court is inclined to grant bail to the petitioner on certain 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.IV, Madurai 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.IV, MADURAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE, SOUTH GATE POLICE STATION,
MADURAI CITY.



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

+1 CC to M/s.R.UDHAYA KUMAR, Advocate (SR-11505[I] dated 31/07/2023)

ORDER
IN
CRL OP(MD) No.13946 of 2023
Date :31/07/2023

RS/VR/SAR-(31.07.2023) 4P 7C
Madurai Bench of Madras High Court is issuing
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