



CRL OP(MD). No.14126 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

CRL OP(MD). No.14126 of 2023

S.Iyyappan

... Petitioner / Accused No.3

Vs

State through
The Inspector of Police,
Fort Police Station,
Trichy City.
(Crime No.964 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.NA.Manimaran, 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.3 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.



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2. The case of the prosecution is that the defacto complainant's son was working as a labour in construction work. On 28.05.2023, five accused persons came to the defacto complainant's house in search of her son. Since he was not there, the accused persons told the defacto complainant that on 27.05.2023, her son has committed theft of Rs.1000/- and two mobile phones of the accused persons when they were sleeping in the shed of Kaveri Bridge Construction and they went away. Since the defacto complainant's son did not return to home that night, she went to the shed of construction labours and found the accused persons attacked her son with iron rod and hands. Her son sustained injury due to this incident and died on the way to hospital. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Since, the co-accused namely Accused Nos.4 and 5 have been granted regular bail by this Court, he seeks for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is having one previous case and he has accompanied with the other accused persons in committing the offence.

5. Considering the period of incarceration and also the fact that the co-accused have been granted regular bail by this Court, this Court is inclined to grant relief to



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the petitioner.

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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.1, Trichy, 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

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

PNN

To

1.The Judicial Magistrate No.I,
Trichy.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Fort Police Station,
Trichy City.

4.The Superintendent,
Central Prison, Thiruchirapalli.

<https://www.mhc.tn.gov.in/judis>



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5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.HARIBASKAR, Advocate (SR-11694[I] dated 02/08/2023)

ORDER
IN
CRL OP(MD) No.14126 of 2023
Date :02/08/2023

ED/ /SAR- (02/08/2023) 4P / 7C

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