



CRL OP(MD). No.14214 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Anantharaj @ Anand

... Petitioner/ Accused No.2

Vs

The State, represented by
The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
Crime No.354/2022.

... Respondent/Complainant

For Petitioner : Mr.M.Mano Kumar, Advocate.

For Respondent : B.Nambiselvan,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.354 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused No.2 herein, who was arrested on 16.12.2022 for the alleged offence under Sections 147, 148, 302 and 506(ii) IPC, in Crime No.354 of 2022, on the file of the respondent Police, seeks bail.

2. The prosecution case as per the defacto complainant version is that on 30.11.2022, when the defacto complainant went to see his father in his work place, on hearing that his father was lying near Bharathi Nagar with blood, he went to the place of occurrence and found that his father was found dead with cut injuries. On the basis of the complaint given by the defacto complainant, this case has been registered.

3. The learned Additional Public Prosecutor would submit that during the course of investigation, involvement of this petitioner came to be light. Further, Final Report was also filed and the same was taken cognizance in PRC No.37 of 2023 before the learned Judicial Magistrate, Thoothukudi, wherein, this petitioner is shown as the second accused.

4. In the Final Report, it has been stated that on 27.11.2022 when the deceased was doing electrical work in the shop of the first accused, one Balamurugan was electrocuted. In pursuance of the above said issue, on 28.11.2022, at about 5.00 p.m., the first accused intercepted the deceased and made a quarrel with him. That was also continued on 29.11.2022. Thereafter, the first accused has made conspiracy with



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the co-accused and that was also executed. This petitioner along with co-accused alleged to have caused assault to the deceased with aruval, the deceased died on the spot. Thereafter, the co-accused were arrested and remanded to judicial custody. Thereafter, Proceedings under Act 14 was invoked against this petitioner by the order dated 12.01.2023, later the same came to be set aside by the order of Division Bench of this Court in HCP(MD) No.376 of 2023, dated 27.07.2023. Later this petition has been filed seeking bail.

5.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. The petitioner is in judicial custody from 16.12.2022.

6. Considering the period of incarceration and also considering the fact that proceedings under Act 14 was invoked against this petitioner and later it was set aside, no other bad antecedent is reported against this petitioner, except the minor offences. This Court is inclined to grant bail to the petitioner with certain conditions;

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



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satisfaction of the learned Judicial Magistrate No.III, Thoothukudi, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
08/08/2023

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

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.



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

ORDER
IN
CRL OP(MD) No.14214 of 2023
Date :08/08/2023

PKP/ /SAR- /08.08.2023/ 5P/6C

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