



CRL OP(MD). No.14248 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14248 of 2023

Muthuraj

... Petitioner / Accused No.3

Vs

State by
The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
(Crime No.327 of 2023.)

... Respondent / Complainant

For Petitioner : Mr.K.Balu, 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.327 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3 herein, who were arrested on 19.06.2023, for the alleged offence under Sections Man missing @ to 302, 201 of IPC in Crime No.327 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defact complainant's brother in law by name Bharathi was married to one Divya. There were frequent trouble between the Divya and Bharathi on matrimonial issue. Divya used to go to the parental home and during that time Bharathi also used to visit their house. But for about 10 days, there was no communication from the Bharathi to the defacto complainant's wife. So the defacto complainant went to make enquiry at Keelmanthur village. On 23.05.2023, he went to the village, found the door locked. On enquiry, no clue or information was available. On that account, he filed a complaint upon which a case in Crime No.327/2023 under the offence of of Man missing, a FIR was registered. During the course of investigation, it was found that he was murdered and this petitioner is also involved in the above said murder. On that account, the petitioner was arrested and remanded to custody.

3. Seeking bail, this petition came to be filed, stating that absolutely there was no motive between himself and the deceased.

4. Per contra, the learned Additional Public Prosecutor would submit that this petitioner helped the Accused Nos.1 and 2 in hiding and burying the dead body. After making the burial, a thar road was laid in the place. On that account, he has been implicated.

5. It is seen that there was no motive between this petitioner and the deceased.



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He was arrested and remanded to custody on 19.06.2023. Ever since, he is in custody. Considering the incarceration period and also the fact that the petitioner is not having any motive with the deceased and the limited overt act attributed against the petitioner, this Court is inclined to grant bail to the petitioner.

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 local sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
21/08/2023

/ TRUE COPY /

21/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The District Munsif cum Judicial Magistrate,
Thiruvudaimaruthur.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.



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3.The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.

4.The Superintendent,
Central Prison, Trichy.

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

+1 CC to M/s.K.BALU, Advocate (SR-12522[I] dated 21/08/2023)

ORDER
IN

CRL OP(MD) No.14248 of 2023
Date :21/08/2023

ED/ /SAR- (22/08/2023) 4P / 7C

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