



CRL OP(MD). No.14450 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14450 of 2023

1.Kadalraja

2.Aravinth

... Petitioners/ Accused Nos.3 and 4

Vs

The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi,
Thoothukudi District.
Crime No.196 of 2022.

... Respondent/Complainant

For petitioners : Mr.N.Pragalathan, Advocate
For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.196 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.3 and 4, who were arrested on 23.06.2023 and 21.06.2023 respectively for the alleged offence under Sections 341, 302 and 34 IPC, in

Crime No.196 of 2022, on the file of the respondent police, seeks bail.

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



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2.The case of the prosecution is that on 21.06.2022, the defacto complainant, who is the Village Administrative Officer, lodged a complaint stating that a male person, who was aged bout 35 years, restrained by some persons and attacked with aruval and also done to death. This information was heard by him over cell phone. Hence, he went to the spot and on enquiry, he came to know that there was a previous land dispute between the victim's family and the accused's family. Hence, this occurrence happened. The victim died on the spot and he found with cut injuries on his shoulder, neck and jaw region. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. The petitioners No.1 and 2 are in custody from 23.06.2023 and 21.06.2023 respectively. Hence, prays to release them on bail.

4. Perusal of CD file shows that due to previous enmity, both groups tried to assault each other with deadly weapons.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that the second accused has been released on regular bail by this Court in CrI.O.P(MD) No.13905 of 2023, dated 04.08.2023.

6.Considering the facts and circumstances of this case and considering the period of incarceration and co-accused has been released on bail by this Court, this



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Court is inclined to grant bail to the petitioners with certain conditions.

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7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned 1st Additional District and Sessions Court, Thoothukudi, and on further condition that the petitioners 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 1 ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI.

2 THE INSPECTOR OF POLICE, THOOTHUKUDI CENTRAL POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-11954[I] dated 08/08/2023)



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ORDER
IN

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Date :08/08/2023

RS//SAR-(08.08.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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