



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.14884 and 14992 of 2023

Mayalagu

... Petitioner/ Accused  
in Crl.O.P(MD).No.14884 of 2023

Kalidass

... Petitioner/ Accused  
in Crl.O.P(MD).No.14992 of 2023

Vs

The Inspector of Police,  
South Gate Police Station,  
Madurai District.  
(In Crime No.236 of 2023).

... Respondent/ Complainant  
in both Crl.O.Ps

For Petitioners : M/s.S.Vadivelan  
(In both Crl.O.Ps)

For Respondent : Mr.B.Nambiselvan,  
(In both Crl.O.Ps) Additional Public Prosecutor



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

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COMMON PRAYER :-

For Bail in Crime No.236 of 2023 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/ Accused Nos.2 and 1 herein, who were arrested on 28.05.2023 for the alleged offence under Sections 302 of IPC @ 120(b), 302 of IPC, in Crime No.236 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that since the deceased loved the second accused's daughter, trouble arose between them. The petitioners along with the other accused conspired together, brutally assaulted with aruval and murdered the deceased. Hence, the complaint.

3. Accused No.2/Mayalagu is the father of the first accused. The first bail petition filed by the A2/Mayalagu in CrI.O.P(MD).No.13880 of 2023 was dismissed by this Court on 28.07.2023. The second bail petition has been filed mainly on the ground that the A2/Mayalagu is the physically challenged person.



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4. On 16.08.2023, after hearing both side counsels, this Court directed the respondent police to produce A2/Mayalagu through VC. Therefore, the second accused was produced before this Court through VC and the physical condition shows that he is physically disabled person.

5. In respect of first accused, the learned Additional Public Prosecutor appearing for the respondent police submitted that earlier there was a proposal under Act 14 and later it was dropped.

6 .Without going to the merits of the case and only considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with stringent conditions, since statutory period is going to over in a short time.

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 Judicial Magistrate Court No.IV, Madurai, and on



further condition that the petitioners shall report before the respondent police daily

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at 10.30 a.m. until further orders.

sd/-  
18/08/2023

/ TRUE COPY /

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

TTA

TO

1. The learned Judicial Magistrate Court No.IV,  
Madurai
2. do through The Chief Judicial Magistrate,  
Madurai.
3. The Officer Incharge,  
District Jail,  
Dindigul.
- 4 . The Inspector of Police,  
South Gate Police Station,  
Madurai District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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+1. CC to M/S.VADIVELAN.S. Advocate SR.No.12483

+1 CC to M.VIVEK KUMAR Advocate SR.No.12484

ORDER  
IN  
CRL OP(MD) Nos.14884 and 14992 of 2023  
Date : 18/08/2023

ED/(18.08.2023)/ 5P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.