



CRL OP(MD). No.17374 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17374 of 2023

1. Mustafa

2. Vasanth

... Petitioners/ Accused No.2 & 5

Vs

The State rep.by,
The Inspector of Police,
Manikandam Police Station,
Trichy District.
Crime No.110 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Karunakaran.K.M,
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.110/2023 on the file of the respondent police

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



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ORDER : The Court made the following order :-

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The petitioners / Accused herein, who was arrested on 28.06.2023 for the alleged offence under Sections Man missing altered into Sections 364(A), 395 read with Section 397 of IPC and Section 25(1-B)(a) read with Section 3 of the Arms Act, in Crime No.110 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution as per the defacto complainant version is that on 24.06.2023, the defacto complainant and her husband gone to the defacto complainant's mother's house. From there, her husband went to his relative house. But did not return. His mobile phone was also switched off. Since, the defacto complainant could not search her, a complaint was given to the police and the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 28.06.2023 and more than 90 days, he is in custody and hence, he seeks statutory bail to the petitioner under Section 167(2) Cr.P.C. Hence, they seek for the relief of bail.



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4. The learned Additional Public Prosecutor would submit that the petitioners are having previous cases.

5. Considering the period of incarceration, this Court is inclined to grant relief to the petitioners.

6. 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Trichy and the petitioners are directed to file an undertaking affidavit before the trial Court that they will not indulge themselves in such offences in future and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
27/09/2023

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27/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn



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TO
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- 1.The Judicial Magistrate No.IV, Trichy.
 - 2.Do-Through The Chief Judicial Magistrate,
Trichy District.
 - 3.The Superintendent, Central Prison, Trichy.
 - 4.The Inspector of Police,
Manikandam Police Station,
Trichy District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-14299[I] dated 27/09/2023)

ORDER
IN

CRL OP(MD) No.17374 of 2023
Date :27/09/2023

RK/ (27/09/2023) 4P / 7C

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