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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 04/10/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Cr1.OP(MD)No.17485 of 2023

A.Anis @ Anish

: Petitioner/A6

Vs.

The State rep. by
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
(Crime No.631 of 2023)

: Respondent/Complainant

For Petitioner

: Mr.R.L.Dhilipan Pandian

For Respondent

: Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:-C-6B-For Bail in Crime No.631 of 2022 on the
file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioner/sole accused, who was arrested and
remanded to judicial custody, on 07/07/2023 for the
offences punishable under sections 147, 148, 341, 342,
294(b), 302 and 149 IPC, in Crime No.631 of 2023 on the
file of the respondent police, seeks bail.



2. The case of the prosecution in brief:-

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The defacto complainant lodged a complaint stating that her brother's wife died, so she brought one Gopi @ Elango to her home and taking care. In 2020, one Raja was murdered by Babu @ Anandha Babu. The issue arose between that Babu and Gopi over spending money for the murder case. One Dinesh was talking to her second daughter through mobile phone. Later, the said Dinesh came to their street and on coming to know the above said relationship and contact, Gopi assaulted Dinesh. Similarly, one Ilaiyabharathi, who is cousin brother of Gopi was assaulted by Babu. Because of the above said issue, there was enmity between the said Babu and Gopi. Because of the above said enmity, Babu was planning to murder Gopi. On coming to know about the above said plan, the defacto complainant advised Gopi not to indulge in any criminal activities and she will take care. On 02.07.2023 at about 5.00 p.m., the said Gopi was going to Ukkadai to deliver vessels through his two wheeler. Even after long time, he did not return. At about 8.00 p.m., she contacted Gopi and the said Gopi informed her that he entered into her street. But when he was coming near rice godown, the accused persons intercepted the said Gopi,



caused assault with aruval and other deadly weapons and caused his death. All the accused persons ran away from the place on gathering of neighbours. On the basis of the above, the case was registered against several persons and this petitioner is arrested and remanded to judicial custody.

3.Heard both sides.

4.The earlier application was dismissed by this court considering the grievous nature of the allegation.

5.A report has been called for from the trial court and now the report has been received from the trial court stating that final report has been filed and it was taken cognizance in PRC No.40 of 2023 and posted on 25/10/2023 for further hearing.

6.Considering the above facts and circumstances of the case and also considering the duration of the incarceration period of the petitioner, this court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be



released on bail on condition that he shall execute a 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 Judicial Magistrate, Papanasam, Thanjavur District and on further condition that **the petitioner shall appear before the respondent police daily at 10.30 am until further orders.**

04/10/2023

Index:Yes/No
Internet:Yes/No
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To,

- 1.The Judicial Magistrate Court,
Papanasam, Thanjavur District.
- 2.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The District Jail,
Thanjavur.



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G. ILANGO VAN, J

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Crl.OP (MD) No.17485 of 2023

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