



CRL OP(MD)No.18082 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.18082 of 2023

Amirthasankar

... Petitioner/ Accused No.6

Vs

The State represented by
The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.155 of 2023)

... Respondent/Complainant

For Petitioner : Mr.S.Ramasamy, Advocate

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.155 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.07.2023
for the alleged offence punishable under Sections 120(B), 147, 148, 452, 294(b), 307,



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324, 427, 506(ii) and 302 IPC in Crime No.155 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.06.2023, one Venith was done to death at Karaikkudi and in that case, the deceased Kumaravel was involved, but the police not arrayed him as an accused. For that motive, on 25.07.2023, at 04.45 pm, when the deceased was in his office, the accused persons entered into the office and assaulted him with deadly weapons. Due to the grievous injuries, he died. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 28.07.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation in this case is completed and charge sheet also filed, which was taken on file by the learned Judicial Magistrate No.I, Virudhunagar.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances and also taking into consideration the period of incarceration and taking into consideration of the principle stated by



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the Honourable Supreme Court in *Sanjay Chandra and others vs. CBI* reported in **(2012)1 SCC 40**, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

[i] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate No.I, Virudhunagar and on further conditions that:

(ii) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(iii) the petitioner shall stay at Chennai and report before the Inspector of Police, Esplanade Police Station, Chennai daily at 10.30 am., until further orders.

(iv) the petitioner shall not tamper with evidence or witness;

(v) the petitioner shall not abscond during trial.

vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala* [(2005)AIR SCW 5560].



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vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/11/2023

/ TRUE COPY /

30/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
ESPLANADE POLICE STATION, CHENNAI.



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+1 CC to M/s.S.RAMASAMY, Advocate (SR-17126[I] dated 30/11/2023)

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ORDER

IN

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Date :30/11/2023

SS/SAR- /30/11/2023/5P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023