



CRL OP(MD). No.18602 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18602 of 2023

Prasath

... Petitioner / Accused No.3

Vs

Through The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(In Crime No.216/2023)

... Respondent / Complainant

For Petitioner : M/s.L.CHANDRA SEKAR
Advocate.

For Respondent : Mr.R.M.ANBUNITHI
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.216 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused was arrested and remanded to judicial custody on 07.08.2023 by the respondent police for the offences under Sections 294(b), 308 of IPC and Sections 27(2), 29(a) ARMS Act, 1959, in Crime No.216 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 07.08.2023, at about 03.00 p.m., the petitioner along with other accused were found in illegal possession of country revolver which was kept by the accused Nos.1 and 2 to murder the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He is working only as an acting driver and there is no specific allegation against the petitioner.

4. The learned Additional Public Prosecutor would submit that petitioner's earlier application seeking bail, was dismissed by this Court. Some of the co-accused have been granted bail by this Court. The petitioner is not having any previous cases.

5. Considering the facts and circumstances of this case and also considering the period of incarceration underwent by the petitioner, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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, Karaikudi, Sivagangai District, and the petitioner shall file an undertaking affidavit before the trial Court that he will not indulge in any kind



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of offence in future and on further condition that the petitioner shall report before

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the respondent police daily at 10.30 a.m. until further orders.

sd/-
17/10/2023

/ TRUE COPY /

17/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN
TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.L.CHANDRASEKARAN, Advocate (SR-15267[I] dated 17/10/2023)

ORDER
IN
CRL OP(MD) No.18602 of 2023
Date :17/10/2023

SA/SAR. /17.10.2023/3P/7C

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