



CRL OP(MD). No.19267 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

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1. Periyasamy

2. Muthukumar  
S/o.Muthuramalingam

3. Muthukumar  
S/o.Karuppaiah

4.Poovalingam

... Petitioners /  
Accused No.1,5,8&20

Vs

The state rep. by  
The Inspector of Police,  
Keelathoval Police Station,  
Ramanathapuram District.  
(Crime No.119 of 2023).

... Respondent/Complainant

For Petitioners : Mr.G. Vishnuram, Advocate

For Respondent : Mr.A. Thiruvadikumar  
Additional Public Prosecutor

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



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PRAYER :-  
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For Bail in Crime No. 119 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners /Accused Nos.1, 5, 8 and 20 herein, who were arrested and remanded to judicial custody on 01.10.2023 for the alleged offence under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 IPC in Crime No.119 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous panchayat election motive, the petitioners herein and other accused have attacked the defacto complainant with wooden log, sickle and sword on his head and caused injuries and also attempted to commit murder of the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that petitioners are in judicial custody for the past 25 days. Accordingly, the learned counsel prayed to allow the petition.



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4. The learned Additional Public Prosecutor submitted that due to previous panchayat election motive, quarrel arose between the petitioners and the defacto complainant. The petitioner also filed complaint against the Defacto Complainant. Hence, this case is 'Cases in Counter'. He would further submit that the injured persons were discharged from the hospital and the investigation is not yet completed.

5. Heard on both sides. This Court has perused the records.

6. In this case, injured persons were discharged from the Hospital. Considering the nature of allegations made against the petitioners and also considering the fact that this case is a 'Cases in Counter' and considering the period of incarceration, this Court is inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed subject to the following conditions:

(i) The petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Mudukulathoor;



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(ii) The petitioners shall stay at Dindigul and report before the Chief Judicial Magistrate Court, Dindigul daily at 10.30 am and 5.30 pm until further orders;

(iii) The petitioners shall not cause threat to the defacto complainant and witnesses; and

(iv) On breach of any of the aforementioned conditions, the learned Judicial Magistrate/learned Sessions Judge as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-  
26/10/2023

/ TRUE COPY /

27/10/2023  
Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

trp

TO

1. THE JUDICIAL MAGISTRATE, MUDUKULATHOOR.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM.

3. THE INSPECTOR OF POLICE,  
KEELATHOVAL POLICE STATION,  
RAMANATHAPURAM DISTRICT.

4. THE OFFICER IN CHARGE, DISTRICT PRISON, RAMANATHAPURAM.

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

COPY TO

THE CHIEF JUDICIAL MAGISTRATE COURT, DINDIGUL

+1 CC to M/s.G.VISHNURAM, Advocate ( SR-15594[I] dated 26/10/2023 )

ORDER  
IN  
CRL OP(MD) No.19267 of 2023  
Date :26/10/2023

RK (27/10/2023) 5P / 8C

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