



in Crl.O.P.(MD)No.21538 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

Crl.O.P.(MD)Nos.21538, 21548 & 21659 of 2023

1.Sudhakar @ Rajasudhakar

2.Muthupandi

3.Sureshpandi

... Petitioners/ Accused Nos. 12,14 & 15
in Crl.O.P.(MD)No.21538 of 2023

Arunpandi @ Srikanth

... Petitioner/ Accused No.19
in Crl.O.P.(MD)No.21548 of 2023

Thangapandi

... Petitioner/ Accused No.9
in Crl.O.P.(MD)No.21659 of 2023

Vs

State Rep.by
The Inspector of Police,
Jeyamangalam Police Station,
Theni District.
(Crime No.261 of 2023)

... Respondent/Complainant
in all petitions

For Petitioners : Mr.P.Ramadass,Advocate
(In all Crl.O.Ps.)

For Respondent : Mr.RMS.Sethuraman,
(In all Crl.O.Ps.) Additional Public Prosecutor.



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

COMMON PRAYER :-

For Bail in Crime no.261 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 13.10.2023 and 16.10.2023 respectively for the alleged offence punishable under Sections 147, 148, 294(b), 323, 342, 506(ii), 302 and 212 IPC in Crime No.261 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that there was dispute between the parties with regard to the temple festival. Due to the same, on 11.10.2023, the accused persons attacked with deadly weapons and due to the same, one Irulappan died due to the grievous injuries. Hence the case.

3.The learned counsel appearing for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in custody from 13.10.2023 and 16.10.2023 respectively, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police



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would submit that the investigation in this case is not yet completed.

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

6.Considering the facts and circumstances and considering the period of incarceration and also taking into consideration of the principle stated by 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 petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Periyakulam, Theni District 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 petitioners shall appear before the trial Court on first working day of every month at 10.30 am., until further orders.

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

(v)the petitioners shall not abscond during trial.

vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-

30/11/2023

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30/11 /2023

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

GNS

TO

- 1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM, THENI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
JEYAMANGALAM POLICE STATION, THENI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, THENI



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

+3 CC to M/s.P.RAMADASS, Advocate (SR-17079(I), 17080[I] & 17081(I)dated
30/11/2023)

ORDER
IN
CRL OP(MD) No.21538 of 2023
Date :30/11/2023

PKP/30.11.2023/ 5P/ 9C

Madurai Bench of Madras High Court is issuing certified
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