



CRL OP(MD) No.187 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.187 of 2024

KODEESHWARAN

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.312/2023).

... RESPONDENT/COMPLAINANT

For Petitioner : MR.DHILIPAN PANDIAN.R.L Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER :

TO RELEASE THE PETITIONER ON BAIL IN SC.NO.675 OF 2023 ON THE FILE OF THE LEARNED 1ST ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI IN CRIME NO.312 OF 2023 ON THE FILE OF THE INSPECTOR OF POLICE, ALANGANALLUR POLICE STATION, MADURAI DISTRICT.

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who is facing trial for the offence punishable under Section 302 of I.P.C. in S.C.No.675 of 2023 on the file of the learned I Additional District and Sessions Judge, Madurai in Crime No.312 of 2023, on the file of the



CRL OP(MD) No.187 of 2024

respondent Police, seeks bail.

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2. The case of the prosecution is that the petitioner and the deceased's wife had illegal relationship and the same was warned by the deceased. Due to that motive, the accused persons attacked the deceased by using iron bar and caused death to him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit that the petitioner's name does not find place in the FIR and subsequently, he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody for more than 150 days. Accordingly, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the co-accused has been enlarged on bail. He would further submit that the petitioner had illegal relationship with the deceased's wife and the same was warned by the deceased and thereby, the accused persons committed murder. He would further submit that this is the third bail application filed by the petitioner herein and he is the main accused in this case. Hence, he prays for dismissal of this petition.



CRL OP(MD) No.187 of 2024

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5. Considering the facts and circumstances of the case and also considering the fact that two applications have already been dismissed by this Court and since there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
08/01/2024

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/01/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.

2 THE INSPECTOR OF POLICE, ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.

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

ORDER
IN
CRL OP(MD) No.187 of 2024
Date :08/01/2024

RS/JGB/SAR-(23.01.2024) 3P 5C
Madurai Bench of Madras High Court is issuing
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