



CRL OP(MD). No.579 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.01.2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.579 of 2024

1.A.Keerthi Vasan

2.R.Manikandan

3.K.Kesavan

... Petitioners/ Accused 1 to A3

Vs

The Inspector of Police,
Gandhi Market Police Station,
Trichy City.

Crime No.1707 of 2023

... Respondent/ Complainant

For Petitioners : Mr.S.MALAIKANI
Advocate.

For Respondent : Mr.B.NAMBISELVAN
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.1707 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who were arrested and remanded to judicial custody on 18.12.2023 for the offences punishable under Section 399 of IPC, in Crime No.1707 of 2023, on the file of the respondent police, seek bail.



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2.The case of the prosecution is that on 18.12.2023, at about 12.15 hours, on a secret information, when the police was on raid, found the petitioners and other accused who entered into conspiracy to commit offence. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they are in judicial custody since 18.12.2023. Hence, he prays for grant bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the State would submit that due to previous enmity with one Sabari in the body building, in order to murder the said Sabari, the petitioners entered into conspiracy with the other accused. He would further submit that apart from this case, the petitioners are having one previous case and the investigation is pending. Hence, he strongly opposed to grant bail to the petitioners.

5.Heard. Perused the materials available on record including the First Information Report.

6.Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with



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two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate

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No.V, Trichy, and on further conditions that:

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

(b) the petitioners are directed to appear before the respondent police daily at 10.30 a.m until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial 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]; and;



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(f)if the accused thereafter abscond, a fresh FIR can be registered
under Section 229-A IPC.

sd/-
12/01/2024

/ TRUE COPY /

12/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1 THE JUDICIAL MAGISTRATE NO.V,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
TRICHY CITY.



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

+1 CC to M/s.S.MALAIKANI, Advocate (SR-661[I] dated 12/01/2024)

ORDER
IN
CRL OP(MD) No.579 of 2024
Date :12/01/2024

SA/SAR. /12.01.2024/5P/7C

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