



CRL OP(MD). No.3178 of 2024

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

Date : 21/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Silambarasan

... Petitioner / Accused No.3

Vs

The Inspector of Police,
Manikandam Police Station,
Trichy District.
(Crime No.14 of 2024.)

... Respondent/Complainant

For Petitioner : Mr.A.Saravanan, 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.14 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A3, who was arrested and remanded to judicial custody on 28.01.2024 for the alleged offence punishable under Sections 294(b), 323, 324, 307 and 506(ii) IPC and subsequently, it was altered into Sections 302 IPC in Crime



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No.14 of 2024, on the file of the respondent Police, seeks bail.

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2. The case of the prosecution is that on 27.01.2024 at about 09.30 P.M., there was a wordy quarrel arose between the brother of the defacto complainant viz., Nagaraj and the accused persons and at that time, the accused persons scolded the deceased in a filthy language and all of them attacked him with wooden log on the chest and the stomach and A1 attacked him with wooden log on the head and the other accused persons beaten him with hands, due to which, the deceased sustained fatal injuries and thereby, he lost his life. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that there is no specific allegations against the petitioner, however, the allegations are made only against Accused Nos.1 and 2. He would further submit that the deceased was admitted in the Hospital on 27.01.2024, however, he was died only on 29.01.2024. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that no previous case is pending against the petitioner. He would further submit that the petitioner along with other accused persons attacked the deceased indiscriminately and thereby, he lost his life. Therefore, he vehemently



opposed for grant of bail to the petitioner.

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5. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner and also considering the fact that the allegations are made only against Accused Nos.1 and 2 and there is no specific overtact against this petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 No.IV, Trichirpappalli 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 petitioner is directed to appear before the respondent police till the conclusion of the investigation at 10.30 A.M., until further orders;

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

(d) the petitioner shall not abscond either during investigation or



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trial;
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(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;

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

sd/-
21/03/2024

/ TRUE COPY /

21/03/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judicial Magistrate No.IV,
Trichirappalli.

2.Do through the Chief Judicial Magistrate,
Trichirappalli District.



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3.The Inspector of Police,
Manikandam Police Station,
Trichy District.

4.The Superintendent,
Central Prison,
Trichirappalli.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.SARAVANAN, Advocate (SR-3458[I] dated 21/03/2024)

ORDER
IN
CRL OP(MD) No.3178 of 2024
Date :21/03/2024

ED/ /SAR- (21/03/2024) 5P / 7C

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