



CRL OP(MD) No.3375 of 2024

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

Monday, the Fourth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.3375 of 2024

S.JEYAKUMAR

... PETITIONER/ACCUSED NO.4

Vs

THE INSPECTOR OF POLICE
VILATHIKULAM POLICE STATION,
VILATHIKULAM,
THOOTHUKUDI DISTRICT.
CRIME NO.231/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.N.PRAGALATHAN, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.231/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on
30.12.2023 for the alleged offence punishable under Sections 294(b), 302, 506(ii) IPC in
Crime No.231 of 2023, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the defacto complainant's deceased son
developed illegal intimacy with one Muthulakshmi, who is the wife of one Ananth.

Subsequently, the said Muthulakshmi developed illegal relationship with one

<https://www.mhc.tn.gov.in/judis>



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Senthilkumar and therefore, there was a quarrel between the son of the defacto complainant and the said Senthilkumar and attacked him brutally, in which, he died.

Hence, the case.

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 overt act as against the petitioner. Hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that no previous case pending as against the petitioner, however, there is specific overt act as against the petitioner. Hence, he opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the 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, Vilathikulam, Thoothukudi District and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass

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Book to ensure their identity;

(b) the petitioner is directed to appear before the respondent police daily 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 trial;

(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/-

04/03/2024

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04/03/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE, VILATHIKULAM, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, VILATHIKULAM POLICE STATION,
VILATHIKULAM, THOOTHUKUDI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-2664[I] dated 04/03/2024)

ORDER

IN

CRL OP(MD) No.3375 of 2024

Date :04/03/2024

RS//SAR-(04.03.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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