



CRL OP(MD). No.4077 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4077 of 2024

Karunakaran

... Petitioner/ Accused No.6

Vs

The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
In Crime No.174 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.R.Senthilkumar, 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.174 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 26.01.2024 for the alleged offence punishable under Sections 147, 148, 109, 201 and 302 IPC in Crime No.174 of 2023 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused persons are alleged to have formed into an unlawful assembly with deadly weapons and committed murder of the deceased and causing disappearance of the dead body by setting fire using petrol. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she did not commit any offence as alleged by the prosecution. He would further submit that the co-accused have already been enlarged on bail and hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that apart from this case, five previous cases are pending against the petitioner, which are not in similar nature. Hence, he opposed to grant bail to the petitioner.

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 co-accused have already been enlarged on bail, this Court is inclined to grant bail

to the petitioner, subject to the following conditions:

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



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6. Accordingly, the petitioner is ordered to be released on bail on her 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, Manamadurai, Sivagangai District 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 completion of the investigation;

(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;



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

sd/-
14/03/2024

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14/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
MANAMADURAI,SIVAGANGAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-3173[I] dated 14/03/2024)

ORDER
IN

CRL OP(MD) No.4077 of 2024

Date :14/03/2024

PKP/14.03.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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