



CRL OP(MD).No.4444 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.4444 of 2024

Divakaran

... Petitioner/ Accused No.6

Versus

State Rep. by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
In Crime No.28 of 2024

...Respondent/ Complainant

For Petitioner : Mr.R.Vennila
Advocate.

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.28 of 2024 on the file of the Respondent Police.



CRL OP(MD).No.4444 of 2024

ORDER : The Court made the following order :-

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The respondent police registered a case as against this petitioner in Crime No.28 of 2024 for the offence under Sections 109, 341, 342, 364, 302 and 201 IPC and remanded him into judicial custody on 10.02.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The defacto complainant is the wife of the deceased. The petitioner is the brother-in-law of A1. A4 is the wife of A1. She was previously married to the brother of the deceased and they were not having any child. Since the first husband of A4 died, she married A1. Even after the second marriage, they are not having any child. This has been pointed out by the deceased and A1 and A4 were criticized by the deceased. On account of that, offence has been committed.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in Jail from 10.02.2024.

4. The learned Additional Public Prosecutor appearing for the respondent

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



CRL OP(MD).No.4444 of 2024

submits that the investigation is almost over.

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5. Considering the nature of offence, the period of incarceration and also considering the stage of investigation, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Melur.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall appear before the respondent police as and when required for investigation. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.



CRL OP(MD).No.4444 of 2024

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v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
08/04/2024

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08/04/2024
Sub-Assistant Registrar (Vigilance)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1.THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

4.THE INSPECTOR OF POLICE,
KEELAVALAVU POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.R.VENNILA, Advocate (SR-4253[I] dated 08/04/2024)



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CRL OP(MD).No.4444 of 2024

ORDER
IN
CRL OP(MD) No.4444 of 2024
Date :08/04/2024

RK (08/04/2024) 5P / 7C

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