



CRL OP(MD). No.4629 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1.M.Vellaisamy

2.V.Thangam

3.V.Parthasarathi

...Petitioners/ Accused Nos.1, 2 and 4

Vs.

The Inspector of Police,
Eriodu Police Station,
Dindigul District.
In Crime No.17 of 2024.

... Respondent/Complainant

For petitioners : Mr.S.Arunnithy, 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.17 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 19.01.2024 for the offence punishable under Sections 147, 148, 294(b), 342, 323, 324, 307 and 302 and 506(ii) of I.P.C., in Crime No.17 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that there is a family property dispute between the families of the defacto complainant and the petitioners and they tried to settled the issue before the village people. On 18.01.2024, the meeting was arranged between the parties for settlement. At that time, there was a quarrel between the accused persons and the defacto complainant's family. The accused persons attacked the deceased and others with wooden log and A3, A5 and A6 stabbed the deceased and one Pannaikaran with Knife. Thereby, the deceased lost his life.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons. Due to previous motive, the accused have been falsely implicated in this case. The petitioners did not commit any offences as alleged by the prosecution. The bail applications filed by the petitioners were dismissed by the concerned Court on 14.02.2024 and 12.03.2024. Hence, they pray for bail.

4. The learned Additional Public Prosecutor appearing for the respondent



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Police would submit that there is no previous case pending against the petitioners.

Due to the attack made by the accused persons, the deceased lost his life. Hence, he vehemently opposed to grant of bail.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Veda sandur, 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 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;



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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 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;

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

sd/-
25/03/2024

/ TRUE COPY /

25 /03/2024
Sub-Assistant Registrar(PA-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
VEDASANDUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
ERIODU POLICE STATION, DINDIGUL DISTRICT.



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- 4 THE OFFICER INCHARGE
SUB JAIL, DINDIGUL.
- 5 THE SUPERINTENDENT
CENTRAL JAIL, MADURAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.ARUNNITHY, Advocate (SR-3617[I] dated 25/03/2024)

ORDER
IN

CRL OP(MD) No.4629 of 2024

Date :25/03/2024

PKP /25.03.2024/ 5P/8C

Madurai Bench of Madras High Court is issuing certified
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