



CRL OP(MD). No.5263 of 2024

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

Date : 10/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Easwaran @ Santhur

2. Mahaprabhu

... Petitioners / Accused Rank knot known

Vs

The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
(Crime No. 91 of 2024.)

... Respondent / Complainant

For Petitioners : M/s. Ebenezer.T.A, Advocate.
For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.91 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The respondent police registered a case as against these petitioners in Crime No.91 of 2024 for the offence under Section 302 of IPC, and remanded them into



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judicial custody on 11.02.2024. Therefore, the petitioners have filed this petition seeking bail.

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2. The case of the prosecution is that on 10.02.2024 the defacto complainant's son, namely, Babu Selvam went outside along with his friends, namely, Murugan @ Arunasalam and Karthickpandian and did not return to his home. While the defacto complainant tried to approach the deceased through his cellphone, a person attended the call and stated that the phone is under the bridge of Reddiarpatti. Subsequently, a man missing complaint was given by the defacto complainant. Further, on information given by the informant Gopinath, it came to know that the deceased went to Reddiarpatti river along with his friends namely, Arunachalam and Karthickpandian. Hence, the defacto complainant went to the occurrence place and found that the deceased died with cut injuries. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and they were arrested and they are languishing in jail on 11.02.2024. Therefore, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioners on the ground that they were also present in the scene of occurrence and monitored whether anybody is coming in the



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occurrence place.

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5. Considering the facts and circumstances of the case, the overt act attributed as against the petitioners and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners.

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

i) on the petitioners executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tirunelveli.

ii) The petitioners 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. They have to co-operate for the investigation.

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



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

sd/-
10/04/2024

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10/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate No.I,
Tirunelveli.

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

3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

4.The Superintendent,
Central Prison,
Palayamkottai.

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

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-4311[I] dated 10/04/2024)



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ORDER

IN

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Date :10/04/2024

ED/ /SAR- (10/04/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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