



CRL OP(MD) No.5273 of 2024

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

Monday, the Eighth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.5273 of 2024

ANBALAGAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
SAMPATTIVIDUTHI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.139/2023).

... RESPONDENT/COMPLAINANT

For Petitioner : MR.G.MATHAVAN, Advocate

For Respondent : MR.T.SENTHIL KUMAR, Additional Public Prosecutor

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

PRAYER : FOR BAIL IN CRIME NO.139/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The respondent police registered a case as against this petitioner in Crime No.139 of 2023 for the offence under Section 302 IPC and remanded him into judicial custody on 17.02.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The petitioner herein is arrayed as A5. The deceased is the close friend of A1



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to A3 and they used to consume alcohol and pick up quarrel with each other. During the Deepavali holidays, the deceased came back to his native village and the first accused is said to have taken the deceased on the date of occurrence to consume liquor and on the next day, i.e. on 13.11.2023, the dead body of deceased was found with cut injuries.

3. The learned counsel for the petitioner submits that there is no allegation as against the petitioner in the FIR and the defacto complainant has made a specific allegation against three named persons and FIR has also been registered against them. However, based on the confession statement of the co-accused, the petitioner has been implicated in this case and he is languishing in Jail from 17.02.2024. He further submits that A4 has already been released on bail by this Court in Crl.O.P. (MD)No.1162 of 2024 on 29.01.2024. Therefore, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submits that the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case, the period of incarceration and also considering the fact that the petitioner is not having any previous case, this Court is inclined to grant bail to the petitioner.



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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 District Munsif cum Judicial Magistrate, Alangudi, Pudukkottai District.

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 daily at 10.30 a.m. until further orders. 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.

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

/ TRUE COPY /

08/04/2024

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



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TO

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1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ALANGUDI,
PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, SAMPATTIVIDUTHI POLICE STATION,
PUDUKKOTTAI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI.

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

+1 CC TO MR.G.MATHAVAN, ADVOCATE, SR-4284[I] Dated 08/04/2024

ORDER
IN

CRL OP(MD) No.5273 of 2024

Date :08/04/2024

RS//SAR-(08.04.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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