



CRL OP(MD).No.5296 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5296 of 2024

1. Muthukrishnan

2. Ramakrishnan

... Petitioner/ Accused Rank not known

Versus

State Rep. through
The Inspector of Police,
Nachiyarkovil Police Station,
Thanjavur District.
(in Crime No.174 of 2024)

...Respondent/ Complainant

For Petitioners : Mr.S.Manojkumar
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.174 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime



CRL OP(MD).No.5296 of 2024

No.174 of 2024 for the offence under Sections 174(3) Cr.P.C. r/w. 304(2) IPC and remanded them into judicial custody on 13.03.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The case of the prosecution is that one Ganesh Kumar uttered defamatory words against the wife of the deceased, due to which, there was a wordy quarrel between them. The petitioners are the friends of the said Ganesh Kumar. Due to some motive, when the deceased came in his two-wheeler on 13.03.2024, the petitioners and the said Ganesh Kumar, who came in their two-wheeler, dashed against the deceased, due to which, he fell down and died on the spot.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that there is no motive against the deceased person and no weapon was used by the accused persons. Since the petitioners are the friends of one Ganesh Kumar, this case has been foisted against the petitioners. However, the petitioners are languishing in jail from 13.03.2024. Therefore, he prays for grant of bail.



CRL OP(MD).No.5296 of 2024

WEB COPY

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.

5. Considering the facts and circumstances of the case 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.II, Kumbakonam.

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. for a period of two weeks and thereafter shall appear as and when required by the respondent police. They have to co-operate for the investigation.



CRL OP(MD).No.5296 of 2024

WEB COPY

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.

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/-
04/04/2024

/ TRUE COPY /

04/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
KUMBAKONAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
NACHIYARKOVIL POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.



CRL OP(MD).No.5296 of 2024

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

ORDER
IN
CRL OP(MD) No.5296 of 2024
Date :04/04/2024

SS/SAR- /04/04/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023