



CRL OP(MD). No.5332 of 2024

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

Date : 05/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5332 of 2024

Thanga Eswaran,

... Petitioner/Sole Accused

Vs

**The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
Crime No. 63/2024.**

... Respondent/Complainant

**For Petitioner : R.Murugan,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. 63 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 19.02.2024 for the alleged offence under Section 302 IPC in Crime No.63 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on account of property dispute, the

petitioner attacked the mother of the defacto complainant with knife, due to which,

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



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the mother of the defacto complainant died.

3.The learned counsel for the petitioner submits that the petitioner is languishing in jail for the past 47 days. The petitioner has not involved in any other case. He has already moved a bail application before the Principal District and Sessions Court, Ramanathapuram and the same was dismissed on 27.03.2024. The respondent police has falsely implicated the petitioner in this case. Hence, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent has strongly objected for grant of bail that the petitioner has committed an offence under Section 302 IPC. However, he admits that no other case is pending as against this petitioner.

5. Considering the fact that there is a property dispute between the petitioner and the defacto complainant and considering that there is no bad antecedent as against the petitioner and taking into consideration of the period of incarceration, 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 on the following conditions:-

- i) The petitioner shall execute 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



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learned Judicial Magistrate Court No.I, Ramanathapuram.

- 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 report before the respondent police daily at 10.30 a.m and 5.00 p.m until further orders.
- 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. The petitioner 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/-
05/04/2024

/ TRUE COPY /

05/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
RAMANATHAPURAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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- 3 THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.MURUGAN, Advocate (SR-4224[I] dated 05/04/2024)

ORDER
IN

CRL OP(MD) No.5332 of 2024
Date :05/04/2024

PKP/05.04.2024/ 4P/7C

Madurai Bench of Madras High Court is issuing certified
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