



CRL OP(MD).No.5564 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Sakthikumar @ Sakthi
2. Manikandan @ Vellicham ...Petitioners/ Accused 1&2

Versus

The State Rep. by
The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
(Crime No.116/2024) ...Respondent/ Complainant

For Petitioners : Mr.A.Sivasubramanian
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.116 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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



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The respondent police registered a case as against the petitioners in Crime No.116 of 2024 for the offence under Section 302 altered into Sections 302 and 201 IPC and remanded them into judicial custody on 29.02.2024 and 05.03.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The deceased is the brother of A3. A1 and A2 are the husband and son of A3. The case of the prosecution is that there was a property dispute between A3 and the deceased person. Due to the property dispute, the petitioners/A1 and A2 have assaulted the deceased with a wooden log and caused death.

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. However, they are languishing in jail from 29.02.2024 and 05.03.2024. Hence, he prays for grant of bail to the petitioners. He further submits that A3 was granted anticipatory bail in Crl.O.P.(MD)No.4181 of 2024 dated 18.03.2024.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the deceased was in the habit of consuming alcohol. On 26.02.2024, the deceased, in a drunken mood, went to the house of A3 and compelled her to execute



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the property documents in his favour. Even after the settlement of the property in his favour, A1 and A2 assaulted the deceased and caused death.

5. Considering the facts and circumstances of the case, the period of incarceration and also considering the fact that A3 was already granted anticipatory bail, 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 learned Judicial Magistrate, Thanjavur.

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



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10.30 a.m. until further orders. They have to co-operate for the investigation.

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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/-
12/04/2024

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12/04/2024
Sub-Assistant Registrar (AE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1.THE JUDICIAL MAGISTRATE,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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4.THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.5564 of 2024
Date :12/04/2024

RK/ (12/04/2024) 5P / 6C
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