



CRL OP(MD).No.5869 of 2024

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

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5869 of 2024

Arumugapandi

... Petitioner/ Accused No.2

Versus

The Inspector of Police,
Kottar Police Station,
Kanyakumari District
(Crime No.72 of 2024)

...Respondent/ Complainant

For Petitioner : Mr.KA.Ramakrishnan, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.72 of 2024 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.72 of 2024 for the offence under Sections 109, 450, 341, 294(b), 324, 307 and 506(ii) IPC and remanded him into judicial custody on 08.03.2024. Therefore, the petitioner



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has filed this petition seeking bail.

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2. The case of the prosecution is that the victim, one Rajagopal, is the step-father of A1. He and his son have cheated A1 and therefore, A1 and A2 went to the victim's house and stabbed him on his neck and hands. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The only allegation levelled against the petitioner is that he introduced the victim to A3 and A4. However, he is languishing in jail from 08.03.2024. He further submits that the A3 and A4 have been released on bail by this Court in CrI.O.P.(MD)No.5724 of 2024 vide order dated 15.04.2024. 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 petitioner is having three previous cases.

5. At this juncture, the learned counsel appearing for the petitioner undertakes that the petitioner will not indulge in any other offence in future and he is ready to file an undertaking affidavit to that effect, before the respondent Police.

6. Considering the nature of allegation, the period of incarceration and also considering the fact that the petitioner is ready to file an undertaking affidavit that



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he will not indulge in any other offence in future, this Court is inclined to grant bail to the petitioner.

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7. 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 Judicial Magistrate No.II, Nagercoil, Kanyakumari 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 file an undertaking affidavit before the respondent Police that he will maintain the law and order in proper manner and he will not indulge in any other offence in future.

v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the



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prosecution witnesses. He shall be available for the trial as well.

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

sd/-
17/04/2024

/ TRUE COPY /

17/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

- 1.The Judicial Magistrate No.II,
Nagercoil, Kanyakumari District.
- 2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.
- 3.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
- 4.The Superintendent,
Central Prison,
Nagercoil, Kanyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1CC to M/s.KA.RAMAKRISHNAN, Advocate, SR No.4593(I), dated 18.04.2024

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ORDER

IN

CRL OP(MD) No.5869 of 2024

Date :17/04/2024

ED/ /SAR- (17/04/2024) 5P / 7C

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