



CRL OP(MD). No.5965 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5965 of 2024

Paulmani

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
Crime No.309 of 2023.

... Respondent/Complainant

For Petitioner : M/s.B.Micheal Sebastin, 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.309 of 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.309 of 2023 for the offence under Sections 342 and 302 IPC, and remanded him into judicial custody on 30.12.2023. Therefore, the petitioner has filed this petition seeking bail.



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2. The case of the prosecution is that on 23.12.2023, due to previous enmity, the petitioner along with other accused attacked the deceased with Aruval and killed him. Hence the case.

3. The learned counsel for the petitioner submits that the deceased and the petitioner's wife had illegal relationship, for which, the petitioner had warned them. However, they continued their relationship. Therefore, the petitioner killed the deceased. The petitioner is also having two children. He has been arrested and he is languishing in jail from 30.12.2023. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner is having two previous cases, which are also connected with this case. He further submits that in this case, final report has also been filed before the concerned Court.

5. Though it is objected that the petitioner is having two previous case, considering the fact that those cases are also related to this case, considering the facts and circumstances of the case and 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

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty



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Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi 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 stay at Thoothukudi and appear before the learned Judicial Magistrate No.III, Thoothukudi District, daily at 10.30 a.m. for a period of 15 days and thereafter shall appear as and when required by the concerned Judicial Magistrate. He has to co-operate for the committal proceedings.

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/-
18/04/2024

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18/04/2024

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

LR



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TO

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1 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, PUDUKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT JAIL, PERURANI,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.B.MICHEAL SEBASTIN, Advocate (SR-4632[I] dated 18/04/2024)

ORDER

IN

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Date :18/04/2024

RS//SAR-(18.04.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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