



CRL OP(MD).No.6134 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6134 of 2024

Kodeeshwaran

... Petitioner/ Accused No.1

Versus

The Inspector of Police,
Alanganallur Police Station,
Madurai District.
Crime No.312 of 2023

... Respondent/ Complainant

For Petitioner : Mr.J.M.Aravind Pawlraj
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 S.C.No.675 of 2023 on the file of the learned I Additional District and Sessions Judge, Madurai in Crime NO.312 of 2023 on the file of the Inspector of Police, Alanganallur Police Station, Madurai District.



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ORDER : The Court made the following order :-

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The respondent police registered a case as against this petitioner in Crime No.312 of 2023 for the offence under Section 302 IPC and remanded him into judicial custody on 11.08.2023. Therefore, the petitioner has filed this petition seeking bail.

2. The defacto complainant is the wife of the deceased. The petitioner/A1 had illegal intimacy with the defacto complainant. When the deceased came know about the same, he warned the petitioner/A1, due to which, on 08.08.2023 at 8.20 p.m., when the deceased was returning to his home, the petitioner/A1 along with A2 intercepted the deceased, attacked him with an aruval indiscriminately, due to the same, he died on the spot. 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. However, he is languishing in jail from 11.08.2023.

4. The learned Additional Public Prosecutor appearing for the respondent submits that in this case, charge sheet was filed and the same was taken on file and now, the case is also committed to the I Additional District and Sessions Judge,

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



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5. Considering the nature of offence, the period of incarceration and also considering the fact that now, the case is also committed to the I Additional District and Sessions Judge, Madurai, in S.C.No.675 of 2023, 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 Five Thousand) with two sureties each for a like sum to the satisfaction of the learned I Additional District and Sessions Judge, Madurai, in S.C.No.675 of 2023.

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 trial Court daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by



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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/-
26/04/2024

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26/04/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The I Additional District and Sessions Judge, Madurai,

2. The Officer in charge,
District Jail,
Dindigul.

3. The Inspector of Police,
Alanganallur Police Station,
Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.M.ARVIND PAWLRAJ, Advocate (SR-4981[I] dated 26/04/2024)



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ORDER

IN

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Date :26/04/2024

RK (26/04/2024) 5P / 6C

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