



CRL OP(MD). No.6696 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.05.2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.6696 of 2024

Mubarak Imran

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
(Crime No.39/2024)

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan, Advocate
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

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

PRAYER :-

For Bail in Crime No.39 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 17.03.2024, for the offence under Section 302 read with Section 109 IPC in Crime No.39 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner and

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



CRL OP(MD). No.6696 of 2024

his sister viz., Rahmath Jabin have jointly threatened the deceased for repayment of the outstanding dues payable by the deceased to the shop owned by the 2nd accused, where the petitioner and his sister were working. On 16.03.2024, the petitioner said to have dashed against the deceased with his car and committed murder. Hence, the complaint.

3.The learned counsel appearing 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 17.03.2024. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police fairly submits that there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of the case and also taking note of the period of incarceration, this court is inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of Judicial Magistrate, Sathankulam and on further conditions that :-

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar



CRL OP(MD). No.6696 of 2024

card or Bank pass Book to ensure their identity.

WEB COPY

- b) the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/05/2024

/ TRUE COPY /

23/05/2024

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

MGA/ABR



CRL OP(MD). No.6696 of 2024

To

WEB COPY

1 THE JUDICIAL MAGISTRATE, SATHANKULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

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

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

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

+1 CC to M/s.S.VISHNUVARDHAN, Advocate (SR-5717[I] dated 23/05/2024)

ORDER

IN

CRL OP(MD) No.6696 of 2024

Date :23/05/2024

RS//SAR-(23.05.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023