



CRL OP(MD). No.6701 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.6701 of 2024

Mookan @ Rengasamy

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Vadakadu Police Station,
Vadakadu,
Pudukkottai District.
(Crime No.66/2024).

... Respondent/Complainant

For Petitioner : Mr.J.Lawrance, Advocate
For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.66/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 03.04.2024, for the offence under Section 302 IPC in Crime No.66 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to matrimonial dispute, on 03.04.2024 at about 07.00 hrs., the accused/husband assaulted the deceased/wife with a wooden log and committed the offence of murder. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is the sole accused in this case. He is an innocent person and he has not committed any offence as alleged by the prosecution. Due to matrimonial dispute, a false case has been foisted against him. However, he is languishing in jail from 03.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police strongly opposes for grant of bail to the petitioner. However, he conceded that the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case, nature of dispute and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with some stringent conditions.

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 learned District Munsif cum Judicial Magistrate, Alankudi and on further conditions that :-

a) the sureties shall affix their photographs and Left Thumb Impression in the



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- surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;
- 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/-
22/05/2024

/ TRUE COPY /

23/05/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

WEB COPY

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ALANKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, VADAKADU POLICE STATION, VADAKADU,
PUDUKKOTTAI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6701 of 2024

Date :22/05/2024

RS//SAR-(23.05.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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