



CRL OP(MD). No.7006 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Sermadurai

2. Suresh @ Sureshkumar

3. Uthirakumar

... Petitioners/ Accused 1 TO 3

Vs

The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
Crime No. 175/2024.

... Respondent/Complainant

For Petitioners : M/s.Vishnuvardhan.S,
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.175 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The respondent police registered a case as against these petitioners in Crime No.175 of 2024 for the offence under Section 302 of IPC and remanded them into judicial custody on 25.03.2024. Therefore, the petitioners have filed this petition seeking bail.

2.The case of the prosecution is that in order to retaliate for the murder of the petitioners' father, the petitioners attacked the deceased. Thereby, the deceased lost his life. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are brothers, there was a property dispute between the petitioners' family and the deceased family and the petitioners' father was turned to death by the deceased in this case in the year 2007. Thereafter, the petitioners have shifted their family to Thirupur and they have visited the place of occurrence only during the village festival. Since the deceased was found dead in suspicious circumstances, assuming that the petitioners might have committed the offence, this case has been foisted against them. He further submits that the petitioners are not having any bad antecedents and they are in jail from 25.03.2024.



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4.The learned Additional Public Prosecutor for the respondent strongly opposed to grant bail on the ground that there is an eye-witness and the petitioners are having a motive against the deceased.

5.Considering the rival submissions made and also considering the fact that the petitioners were residing at Tirupur and also the period of incarceration, this Court is inclined to grant bail to the petitioners.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail on the following conditions:-

i) The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Radhapuram, Tirunelveli District;

ii) The petitioners 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;



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iii) The petitioners shall report before the Inspector of Police, Tirupur Town Police Station, Tirupur District, daily at 10.30 a.m., until further orders; Further, the petitioners shall report before the respondent police once in a week, ie., on every Monday at 10.30 a.m., until further orders;

iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.

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

sd/-
10/06/2024

/ TRUE COPY /

10/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE,
RADHAPURAM, TIRUNELVELI DISTRICT.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE
THISAYANVILAI POLICE STATION, TIRUNELVELI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
TIRUPUR TOWN POLICE STATION, TIRUPUR DISTRICT.

ORDER
IN

CRL OP(MD) No.7006 of 2024

Date :10/06/2024

SS/SAR- /10/06/2024/5P/7C

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