



CRL OP(MD). No.7516 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.7516 of 2024

M.Irulraj

... Petitioner/ Accused No.8

versus

**The Inspector of Police,
Koodalpudur Police Station,
Madurai City,
Madurai.
(Crime No. 190 of 2024)**

... Respondent/ Complainant

**For Petitioner : Mr.Niranjana S.Kumar,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.190 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner / A8, who voluntarily surrendered on 03.05.2024 in connection with the case in Crime No.190 of 2024 for the offences under Sections 147, 148, 149, 342, 324 and 302 IPC, seeks bail.

2. The defacto complainant is the close relative of the deceased. There was an enmity existed between the deceased and the accused persons with regard to murder of one Navaneethan for the past six months. Due to such motive, on 26.04.2024, at about 11.30 a.m., when the defacto complainant and the deceased were going to Paravai market, A1 and his associates wrongfully confined the deceased and brutally assaulted him with big sword and knife. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is a Law College Student, pursuing L.L.B. Course at Prist College and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 03.05.2024. Since the examinations for L.L.B. course are scheduled to commence from the 1st week of June 2024, the petitioner may be released on bail to write the examinations.

4. The learned Additional Public Prosecutor submits that this is a case of retaliation murder and in this case, investigation is yet to be completed. He further submits that the petitioner is having one previous case. Therefore, he vehemently opposes for grant of bail to the petitioner.



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5. Considering the facts and circumstances of the case and also taking note of the period of incarceration and also considering the fact that the petitioner is a Law College Student and the examinations for L.L.B course are scheduled to commence from the 1st week of June 2024, 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 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 Judicial Magistrate No.IV, Madurai and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Sivagangai and report before the Inspector of Police, Sivagangai Town Police Station, daily at 5.30 p.m., for a period of three weeks and thereafter as and when required for interrogation.

[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
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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 /

22/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

- 1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KODALPUDUR POLICE STATION,
MADURAI CITY,
MADURAI.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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



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COPY TO

THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI.

+1. CC to MR. Niranjan S.Kumar, Advocate SR.No.5841(I) DT: 24/05/2024

ORDER
IN

CRL OP(MD) No.7516 of 2024
Date :22/05/2024

PKP/22.05.2024/ 6P/ 8C

Madurai Bench of Madras High Court is issuing certified
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