



CRL OP(MD). No.8406 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

CRL OP(MD). No.8406 of 2024

Lakshmanan,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District
Crime No.95/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan,
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.95/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested on 23.04.2024 in connection with the offence under Sections 341, 294(b), 302 and 506(ii) of IPC @ Sections 120(B), 147, 148,



CRL OP(MD). No.8406 of 2024

341, 294(b), 302 and 506(ii) of IPC in Crime No.95 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant is the son of the deceased. The deceased had illegal intimacy with the mother of A1 and A2. Due to which, on 24.03.2024, the petitioner and other accused had conspired together to murder the defacto complainant's father and according to their conspiracy, the petitioner and other accused unlawfully assembled with deadly weapons, restrained the defacto complainant's father, abused him in filthy language and attacked the defacto complainant's father with deadly weapons. Thereby, the defacto complainant's father lost his life. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the motive is against A1 and A2 and since the petitioner is the friend of A3, he has also been added as an accused in this case. He further submits that he is languishing in jail for the past 69 days and he is not having any previous case.

4.The learned Additional Public Prosecutor for the respondent has raised serious objections and submits that the deceased was having illegal intimacy with



CRL OP(MD). No.8406 of 2024

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the mother of A1 and A2, due to which, the petitioner and other accused had murdered the deceased.

5. Taking into consideration of the facts and circumstances of the case and the period of incarceration, 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 the following conditions:-

i) The petitioner shall execute 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 Judicial Magistrate No.II, Thoothukudi;

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 report before the respondent police daily at 10.30 a.m. and 05.00 p.m, until further orders;



CRL OP(MD). No.8406 of 2024

WEB COPY

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner 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/-
10/06/2024

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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 NO.II
THOOTHUKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

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

4 THE INSPECTOR OF POLICE
MUTHIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT



CRL OP(MD). No.8406 of 2024

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

ORDER
IN
CRL OP(MD) No.8406 of 2024
Date :10/06/2024

SS/SAR- /10/06/2024/5P/6C

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