



CRL OP(MD). No.8562 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8562 of 2024

Kalishwaran @ Kanakali

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Muthiahpuram Police Station,
Tuticorin District.
Cr.No.95/2024

... Respondent/Complainant

For Petitioner : Mr.Ka.Raamakrishnan, 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 respondent police registered a case as against this petitioner in Crime No.95 of 2024 for the offence under Sections 341, 294(b), 302 and 506(ii) of IPC @ Sections 341, 294(b), 302, 506(ii), 147, 148 and 120-B of IPC and remanded him into judicial custody on 28.03.2024.

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



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2.The petitioner is arrayed as A5 and he is the friend of A1 and A2. The deceased had illegal intimacy with the mother of A1 and A2. Due to which, A1 to A3 are said to have murdered the deceased and the allegation against the petitioner is that he conspired with the other accused for the commission of offence. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that he is languishing in jail for more than 70 days.

4.The learned Additional Public Prosecutor for the respondent has raised serious objections and submits that the petitioner had conspired with the other accused for the commission of offence.

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, Tuticorin, Tuticorin District;



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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 as and when required for interrogation;

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/-
12/06/2024

/ TRUE COPY /

12/06/2024

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

SJI
TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

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

3 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.



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4 THE INSPECTOR OF POLICE, MUTHIAHPURAM POLICE STATION,
TUTICORIN DISTRICT.

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

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-6379[I] dated 12/06/2024)

ORDER

IN

CRL OP(MD) No.8562 of 2024

Date :12/06/2024

RS//SAR-(12.06.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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