



CRL OP(MD).No.8795 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL O.P(MD).Nos.8795 & 8676 of 2024

and

CRL M.P(MD)Nos.6129 & 6130 of 2024

CRL OP(MD).No.8795 of 2024

1. Angappan
2. Aruchunan

... Petitioners/ Accused No.6 & 10

Versus

State Rep. by
The Inspector of Police,
Seydunganallur Police Station,
Thoothukudi District.
(Cr.No.118 of 2023)

...Respondent/ Complainant

For Petitioners : Mr.Aayiram K.Selvakumar, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For Intervener : Mr.S.Siva Prakash, Advocate

CRL OP(MD).No.8676 of 2024

Devaraj @ Deva

... Petitioners/ Accused No.7

Versus



CRL OP(MD).No.8795 of 2024

State Rep. by
The Inspector of Police,
Seydunganallur Police Station,
Thoothukudi District.
(Cr.No.118 of 2023)

...Respondent/Complainant

For Petitioners : Mr.Henri Patrick Tiphange, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For Intervener : Mr.S.Siva Prakash, Advocate

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

PRAYER :- For Bail in Crime No.118 of 2023 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The respondent police registered a case as against these petitioners in Crime No.118 of 2023 for the offence under Sections 147, 148, 449, 294(b), 302, 307, 115, 506(ii), 109 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 Act altered to 147, 148, 449, 294(b), 302, 307, 115, 506(ii), 109, 102B, 114, 324, 341, 149 and 34 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 Act, and remanded them into judicial custody on 04.08.2023. Therefore, the petitioners have filed this petition seeking bail.

2. The petitioners and defacto complainant are relatives. The case of the prosecution is that on 03.08.2023, the petitioner and other accused persons



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trespassed into the house of the defact complainant with aruval with an intention to murder her husband and attacked him and also caused injury. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they are languishing in jail for the past 327 days. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the investigation has been completed and the final report was filed before the Court of Sessions concerned. Also, he raised serious objections that the accused A-6 is having five previous cases, A-7 is having seven cases and A-10 is having two previous cases, to their credit.

5. The learned Counsel appearing for the intervener raised objections that the petitioners are having bad antecedents.

6. Considering the period of incarceration and also considering the stage of investigation that the final report has been filed, this Court is inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petitions are ordered. Consequently, connected miscellaneous petitions are closed. The petitioners are ordered to be released on bail



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i) on the petitioner executing 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 I Additional District and Sessions Judge, Thoothukudi. The sureties/responsible persons shall file an affidavit before the Court concerned that the petitioners will not indulge in any offence in future.

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;

iii) The petitioners shall stay at Villupuram and appear before the Inspector of police, Villupuram Town Police Station, daily at 10.30 a.m., until further orders. They have to co-operate for the investigation. The petitioners are also directed to file an affidavit before the police concerned that they will not indulge in any offence in future and exemption from physical appearance of the petitioners be allowed by the concerned police officials only on the date of trial. The petitioners have to appear before the trial Court and co-operate for the trial without fail.

iv) The petitioners shall not misuse the liberty granted to them



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by indulging in any further offence and shall not tamper with the prosecution witnesses. She 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/-
28/06/2024

/ TRUE COPY /

28/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

1.The I Additional District and Sessions Judge,
Thoothukudi.

2.The Inspector of Police,
Seydunganallur Police Station,
Thoothukudi District.

3.The Superintendent,
Central Prison, Madurai.

4.The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District.



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5.The Superintendent,
Central Prison, Trichy,
Trichy District.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Inspector of Police,
Villupuram Town Police Station,
Villupuram District.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-7090[I] dated 28/06/2024)

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-7137[I] dated 28/06/2024)

ORDER
IN
CRL O.P(MD).Nos.8795 & 8676 of 2024
and
CRL M.P(MD)Nos.6129 & 6130 of 2024
Date :28/06/2024

ED/ /SAR- (28/06/2024) 6P / 10C

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