



CRL OP(MD). No.8922 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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1. Kathan,

2. Kathiravan,

... Petitioners/ Accused No.1&2

Vs

The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
(Crime No.66/2024).

... Respondent/Complainant

For Petitioners : M/s.Arunkumar.K.G.,Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.66/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody



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on 24.04.2024 for the offence punishable under Section 302 of IPC in Crime No.66 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is the mother of the deceased. Due to previous enmity between the petitioners' family and the deceased's family, on 24.04.2024, the petitioners are said to have murdered the son of the defacto complainant namely, Adaikkappan. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that there is no eye-witness to the murder and the deceased person got more than 5 criminal cases. Only on suspect, the petitioners herein are arrayed as accused and they are in custody for the past 66 days. Hence, he prayed to grant bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that investigation has been completed and charge sheet was filed before the learned Judicial Magistrate, Ponnamaravathi and the same was taken on file in P.R.C.No.24 of 2024.

5.Considering the period of incarceration and also considering the fact that the charge sheet was filed before the learned Judicial Magistrate, Ponnamaravathi and the same was taken on file in P.R.C.No.24 of 2024, this Court is inclined to grant bail



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to the petitioners subject to the following conditions:

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Ponnamaravathi.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioners shall report before the learned Judicial Magistrate Ponnamaravathi, daily at 10.30 a.m., until further orders;

(iii) the petitioners shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



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vi) If the accused thereafter abscond, a fresh FIR can be registered under Section

229A IPC.

sd/-
01/07/2024

/ TRUE COPY /

01/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE JUDICIAL MAGISTRATE
PONNAMARAVATHI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKKOTTAI.
- 4 THE INSPECTOR OF POLICE
PONNAMARAVATHI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.K.G.ARUNKUMAR, Advocate (SR-7190[I] dated 01/07/2024)

ORDER
IN

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Date :01/07/2024

PKP/01.07.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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