



CRL OP(MD). No.9096 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9096 of 2024

Pasupathi,

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.136/2024).

... Respondent/Complainant

For Petitioner : Mr.T.VEERAKUMAR,
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.136/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 17.05.2024 for the alleged offence under Sections 147, 148, 294(b), 302 & 201 of IPC in Crime No.136 of 2024, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that while consuming liquor, there was a dispute between the accused persons and the deceased, due to which, A1 to A6 have assaulted the deceased by using knife. The petitioner has harboured the other accused persons. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner has already moved a bail application before the Principal Sessions Court, Sivagangai in CrI.MP.No.1640 of 2024 and by taking note of the antecedents, which has been projected as against this petitioner before the Sessions Court, that petition was dismissed. According to the petitioner, his name does not find place in the First Information Report. Based on the confession statement of the co-accused, the petitioner has been implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police submits that the specific overt act as against this petitioner is that he has harboured the other accused persons for the commission of offence. He points out that the co-accused 7 & 8 have been granted bail by this Court in CrI.OP(MD) Nos.8818 and 8408 of 2024. The learned Additional Public Prosecutor on the written instructions, which he has received from the respondent police confirms that there is no adverse antecedents as against this petitioner. One Mr.S.Sivakumar, the Sub Inspector of Police, has also confirmed that the petitioner has not involved in any



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previous cases.

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5. Considering the period of incarceration and the submission of the learned Additional Public Prosecutor and the respondent police that the petitioner has not involved in any other offence, this Court is inclined to grant bail to the petitioner with certain conditions.

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 Court, Devakottai, Sivagangai District.

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., until further orders.

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



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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/-
21/06/2024

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

VRN

TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-6782[I] dated 21/06/2024)



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ORDER
IN
CRL OP(MD) No.9096 of 2024
Date :21/06/2024

SA/SAR. /21.06.2024/5P/7C

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