



CRL OP(MD). No.9110 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.9110 of 2024

Ganesamoorthi,

... Petitioner/ Accused 3

Vs

The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District
Crime No.209/2023.

... Respondent/ Complainant

For Petitioner : M/s.VISHNUVARDHAN.S,
Advocate.

For Respondent :Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :- To enlarge the petitioner /A3 on bail in Connection the case in SC No.56/2024 on the file of the I Additional District and Sessions Judge, Thoothukudi in connection with the Crime No.209/2023 before the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 18.08.2023, for the alleged offence under Sections 147, 148, 294(b), 302, 506(ii) and 120(b) of IPC and Section 3 of Explosive Substances Act in Crime No. 209/2023 on the file of the respondent police,



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seeks bail.

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2.The case of the prosecution is that the deceased namely Sakthivel is an accused in a murder case of one Karuppasamy and thereafter, he was released on bail. For taking revenge for the murder of the said Karuppasamy, on 16.08.2023, the accused persons have illegally entered into the office of the deceased and attacked with deadly weapons, thereby, the deceased sustained serious injuries and died.

3.The learned counsel for the petitioner submits that the petitioner is not a named accused and there is no specific allegation levelled as against this petitioner. He has been implicated in this case based on the confession statement of the co-accused. He is languishing in jail for the past 10 months.

4.The learned Additional Public Prosecutor appearing for the respondent police opposes for grant of bail to the petitioner that this is a retaliation murder. He further submits that final report has already been filed and the same was taken on file on SC No.56 of 2024 by the learned I Additional District and Sessions Judge, Thoothukudi.

5. Considering the facts and circumstances of this case, considering the period of incarceration and also in order to enable the petitioner to make his defence before the trial Court, this Court is inclined to grant bail to the petitioner with certain conditions.



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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 I Additional District and Sessions Judge, 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 stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, 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 well.

v) On violation of any of the above conditions by the petitioner,



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the respondent police shall move an application for cancellation of the
bail.

sd/-
21/06/2024

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21/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THOOTHUKUDI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT

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

COPY TO:
THE INSPECTOR OF POLICE,
VILLUPURAM TOWN POLICE STATION
VILLUPURAM.



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ORDER

IN

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Date :21/06/2024

SA/SAR. /21.06.2024/5P/6C

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