



CRL OP(MD).No.9331 of 2024

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

Date : 26.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD).Nos.9331 & 9336 of 2024

CRL OP(MD).No.9331 of 2024

Hamash @ Noor Mohammed

... Petitioner/Rank Unknown

Versus

The Sub Inspector of Police,
Mimisal Police Station,
Pudukottai, Tamil Nadu - 614 621.
(Crime No.43 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.Bazeerdeen, Advocate

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

CRL OP(MD).No.9336 of 2024

S.Mohamed Usen @ Mohamed Hussian

... Petitioner/Rank Not Known

Versus

The Inspector of Police,
Mimisal Police Station,
Pudukottai District.
(Cr.No.43 of 2024)

... Respondent/Complainant

For Petitioner : Mr.P.Sivachandran, Advocate

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

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

COMMON PRAYER :-

For Bail in Crime No.43 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following orders :-



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The respondent police registered a case as against these petitioners in Crime No.43 of 2024 for the offence under Sections 174(3) of Cr.P.C., altered as 147, 148, 302 and 341 IPC and remanded them into judicial custody on 15.05.2024 and 26.04.2024. Therefore, the petitioners have filed these petitions seeking bail.

2. Totally, there are 13 accused in this case. The case of the prosecution is that in order to rob the money from the defacto complainant's husband, on 22.04.2023, the petitioners along with other accused have assaulted the defacto complainant's husband with an iron rod on his head. Subsequently, the victim died on the way to the hospital. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they have been arrested and they are languishing in jail from 26.04.2024 and 15.05.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the co-accused have already been granted bail. Also, he submitted that the allegations against the petitioners are that they are said to have conspired along with the other accused for the commission of offence.

5. Considering the facts and circumstances of the case, nature of allegation and also considering the period of incarceration, this Court is inclined to grant bail to the



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petitioners.

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6. Accordingly, these Criminal Original Petitions are ordered and the petitioners are ordered to be released on bail

i) on the petitioners 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 Judicial Magistrate, Manamelkudi, Pudukkottai.

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 appear before the respondent Police Station, daily at 10.30 a.m., until further orders. They have to co-operate for the investigation.

iv) The petitioners shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses. They 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/-
26/06/2024

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/06/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE, MANAMELKUDI, PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI.

3 THE SUB INSPECTOR OF POLICE, MIMISAL POLICE STATION, PUDUKOTTAI,
TAMILNADU 614 621.

4 THE INSPECTOR OF POLICE, MIMISAL POLICE STATION, PUDUKOTTAI,
TAMILNADU 614 621.

5 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKKOTTAI.

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

+1 CC to M/s.M.BAZEERDEEN, Advocate (SR-6994[I] dated 26/06/2024)

+1 CC to M/s.S.ALAGUSUNDAR, Advocate (SR-6943[I] dated 26/06/2024)

ORDER IN
CRL OP(MD).Nos.9331 & 9336 of 2024

Date :26/06/2024

RS/ /SAR-(26.06.2024) 4P 9C

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