



CRL OP(MD).No.9433 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 OP(MD).No.9433 of 2024

Mustamin

... Petitioner/ Accused No.6

Versus

State Rep. by
The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.
(Cr.No.43 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.J.Ameer Hussian,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.43 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.43



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of 2024 for the offence under Sections 174(3) of Cr.P.C altered as Sections 147, 148, 341 and 302 of IPC, and remanded him into judicial custody on 26.04.2024. Therefore, the petitioner has filed this petition seeking bail.

2. Totally, there are 13 accused in this case. The case of the prosecution is that on 23.04.2023, the petitioner along with other accused have assaulted the defacto complainant's brother with an iron rod on his head, in order to rob money from him, thereby, he died on the way to hospital. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 26.04.2024. 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 allegation as against the petitioner is that he is said to have conspired along with the other accused for the commission of offence.



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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 petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing 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, Manamelkudi, Pudukkottai.

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

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. He shall be available for the trial as well.



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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/-
28/06/2024

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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 JUDICIAL MAGISTRATE,
MANAMELKUDI, PUDUKKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MIMISAL POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKKOTTAI.



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

ORDER
IN
CRL OP(MD) No.9433 of 2024
Date :28/06/2024

PKP/28.06.2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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