



CRL OP(MD). No.9886 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

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

CRL OP(MD). No.9886 of 2024

Selvakumar @ Selvam,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
Cr No.136/2024..

... Respondent/Complainant

For Petitioner : Mr.S.Ramesh Kumar,
Advocate.

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

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

PRAYER :- For Bail in Cr No.136/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 29.04.2024 for the offences punishable under Sections 147, 148, 294(b), 302 and 201 I.P.C, in crime No.136 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner



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along with other accused abused the abused the deceased in filthy language and also assaulted him, due to which, he died.

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3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.04.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. Hence, he strongly opposed to grant bail. However, he would further the petitioner is having seven previous cases and co-accused in this case was released on bail.

5.Considering the facts and circumstances of the case and also considering the facts that the major part of the investigation might have been completed and the petitioner is in judicial custody from 29.04.2024, co-accused in this case was released on bail, this Court is inclined to grant bail to the petitioner on certain conditions.

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

(i)the sureties shall affix their photographs and left thumb impression in the



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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 petitioner shall report before the Inspector of Police, Karaikudi North Police Station, Karaikudi daily at 10.30 a.m., until further orders;

(iii)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

sd/-
05/07/2024

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05/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO
1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.



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3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.

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

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

COPY TO:

THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
KARAIKUDI.

+1 CC to M/s.S.RAMESH KUMAR, Advocate (SR-7477[I] dated 05/07/2024)

ORDER IN
CRL OP(MD) No.9886 of 2024
Date :05/07/2024

SA/SAR. /05.07.2024/4P/8C

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