



CRL OP(MD). No.10152 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

CRL OP(MD). No.10152 of 2024

Manikandan,

... Petitioner/ Accused No.13

Vs

The Inspector of Police,
Thogur Police Station,
Thanjavur District,
Crime No.218/2023.

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.218/2023 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 16.05.2024 for the offences punishable under Sections 120B, 147, 148 and 302 I.P.C in Crime No.218 of 2023 on the file of the respondent police, seeks bail.

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

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other accused murdered the husband of the defacto complainant.

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3.The learned counsel for the petitioners would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in custody from 16.05.2024. Hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would strongly oppose this petition on the ground that the petitioner is having five previous cases and the investigation is pending. He further submits that co-accused in this case were already released on bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following 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 Judicial Magistrate, Thiruvaiyaru.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;



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(ii)the petitioner shall report before the respondent police 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 petitioners 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].

vi) If the accused thereafter abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-
09/07/2024

/ TRUE COPY /

10/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO
1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.

2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.



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3 THE INSPECTOR OF POLICE
THOGUR POLICE STATION,
THANJAVUR DISTRICT,

4 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-7659[I] dated 09/07/2024)

ORDER IN
CRL OP(MD) No.10152 of 2024
Date :09/07/2024

SA/SAR. /10.07.2024/4P/7C

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