



(In CrI.O.P.(MD)No.10407 of 2024)

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).Nos.10407 & 10409 of 2024

1.Sivaram

2.Udaiyar

Nagaraj

... Petitioners/ Accused No.2, 3

(In CrI.O.P.(MD)No.10407 of 2024)

... Petitioner/ Accused No.1

(In CrI.O.P.(MD)No.10409 of 2024)

Vs

State Rep. by

The Inspector of Police,

Ettayapuram Police Station,

Thoothukudi District.

(Cr.No.85 of 2024)

... Respondent/Complainant

(In both the cases)

(In both the cases)

For Petitioners : Mr.S.Muniyandi, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS



(In CrI.O.P.(MD)No.10407 of 2024)

PRAYER:-
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For Bail in Crime No.85 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The respondent police registered a case as against these petitioners in Crime No.85 of 2024 for the offence under Sections 279 and 304(A) of IPC @ 302 and 114 of IPC, and remanded them into judicial custody on 05.04.2024. Therefore, the petitioners have filed these petitions seeking bail.

2. The case of the prosecution is that on 01.04.2024, A3 drove the tipper lorry with an intention to murder the deceased and dashed against the deceased, who came to the place of occurrence in his two wheeler and caused death. 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 are languishing in jail from 05.04.2024. Therefore, he prays for grant of bail.

4. The investigation agency submits that they have collected CCTV recordings from the petrol bunk and found that the vehicle has been used intentionally for committing the murder. A1 is the driver of the lorry, A2 is the son-in-law of the deceased and A3 is the owner of the vehicle.

5. The learned Additional Public Prosecutor has produced the call recordings,

<https://www.mhc.tn.gov.in/judis>



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which were recovered by the investigation agency between A1 and A3 at about 05.30 p.m., which would expose that A3 has conspired in the commission of offence. The voice recording is not very clear and a typed version has been furnished before this Court. It appears that A3 has contacted A1 just half an hour prior to the commission of offence.

6. Considering the facts and circumstance of the case and also considering the fact that there is a specific overt act attributed against the petitioners, this Court is not inclined to grant bail to the petitioners. Accordingly, these Criminal Original Petitions are dismissed. The learned Judicial Magistrate No.II, Kovilapatti, is directed to commit the case immediately to the Court of Sessions and the petitioners shall co-operate for the committal proceedings. The learned Judicial Magistrate No.II, Kovilpatti, is directed to expedite the committal proceedings.

sd/-
12/07/2024

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/ 08 /2024

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



(In Crl.O.P.(MD)No.10407 of 2024)

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TO

1. THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI,
2. DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10409 of 2024

Date :12/07/2024

PSP/GJB/SAR /06.08.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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