



CRL OP(MD). No.10907 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

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1. Muthu @ Muthuraja,

2. Manogaran,

3. Kennedy @ Vijayakumar,

... Petitioners/ Accused No.9,3 & 5

Vs

The Inspector of Police,
Ayyampettai Police Police,
Thanjavur District.
Crime No.202 of 2024.

... Respondent/Complainant

For Petitioners : Mr.C.Suresh Kannan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime no.202 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/ Accused, who were arrested and remanded to judicial custody on 04.04.2024 for the offences punishable under Sections 147, 148, 294(b), 341, 323, 324, 506(ii) and 302 IPC and Section 3(1) of Tamilnadu Public Property (Prevention of Damage and Loss) Act, 1992, in crime No.202 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to election motive between the parties, the petitioners said to have abused the deceased-Jeyakumar, who is the relative of the defacto complainant and murdered the deceased.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as mentioned in the FIR and they are in judicial custody from 04.04.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation has been completed and the charge sheet has already filed and the same was taken on file in P.R.C. No.4 of 2024 before the Judicial Magistrate No.III, Thanjavur. He would further submit that the first petitioner/A9 is not having any previous case, the



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second petitioner / A3 is having 5 previous cases, the third petitioner/ A5 is having one previous case and he strongly opposed for grant of bail.

5.Considering the submissions made by the learned counsel on either side and also considering the period of incarceration and also the fact that the investigation has been completed and the charge sheet has already filed and the same was taken on file in P.R.C.No.4 of 2024 before the concerned Court, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur.

(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;

(ii)the petitioners shall report before the Inspector of Police, Tiruvarur Town

Police Station, Tiruvarur, until further orders;

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(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 petitioners 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 registered under Section 229A IPC.

sd/--
19/07/2024

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19/07/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO
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1. THE JUDICIAL MAGISTRATE NO.III, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.
4. THE OFFICER IN CHARGE,
DISTRICT PRISON, PUDHUKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

THE INSPECTOR OF POLICE,
TIRUVARUR TOWN POLICE STATION,
TIRUVARUR

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-8121[I] dated 19/07/2024)

ORDER
IN
CRL OP(MD) No.10907 of 2024
Date :19/07/2024

RK (19/07/2024) 5P / 8C

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