



CRL OP(MD). No.10916 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.10916 of 2024

Jeyakumar,

... Petitioner/Sole Accused

Vs

The state rep.by

The Inspector of Police,

Authoor Police Station, Thoothukudi

District. Crime No. 104/2024.

... Respondent/Complainant

For Petitioner : S.M.Mohan Gandhi,
Advocate.

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

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

PRAYER :-

For Bail in Crime No. 104 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

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



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The petitioner/ Accused, who was arrested and remanded to judicial custody on 24.05.2024 for the offences punishable under Sections 302 IPC in crime No.104 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner strangled and attacked the neck of the deceased and caused her death and thereby, he had committed the murder of the deceased. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 24.05.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is the husband of the deceased and he has suspected the fidelity of his wife and harassed her and due to that, he has committed the murder of the deceased. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.



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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 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, Thiruchendur and on further conditions that;

(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 petitioner shall report before the respondent Police daily at 10.30 am until further orders;

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

(iv) the petitioner shall not abscond during trial.



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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].

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

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. Judicial Magistrate, Thiruchendur.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Superintendent, District Jail, Peravurani.



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4. The Inspector of Police,
Authoor Police Station, Thoothukudi
District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-8254[I] dated 22/07/2024)

ORDER
IN
CRL OP(MD) No.10916 of 2024
Date : 22/07/2024

KB(22.07.2024) 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.