



CRL OP(MD). No.12044 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

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

CRL OP(MD). No.12044 of 2024

1. Manikandan @ Kodanki Mani,

2. Dhanapalan,

... Petitioners/ Accused No.1&2

Vs

The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.
Crime No.193/2024..

... Respondent/Complainant

For Petitioners: M/s.Dhana Chandra Prakash D,
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.193 of 2024 on the file of the Respondent Police.

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



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ORDER : The Court made the following order :-

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The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 04.06.2024 for the offence punishable under Section 302 of IPC, in Crime No.193 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners along with other accused murdered the son of the defacto complainant. Hence, the complaint.

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. He would further submit that the petitioners are in judicial custody from 04.06.2024 and hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioners are having 1 previous case. Hence, he vehemently, opposed to grant bail to the petitioner.

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 petitioners on certain

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conditions.
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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.I, Sivakasi.

(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 respondent police daily at 10.30 a.m., until further orders;

(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

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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/-
30/07/2024

/ TRUE COPY /

30/07/2024
Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3.THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
SIVAKASI,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER IN CHARGE,
DISTRICT JAIL, VIRUDHUNAGAR..



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

+1 CC to M/s.D.DHANA CHANDRA PRAKASH, Advocate (SR-8930[I] dated
30/07/2024)

ORDER
IN
CRL OP(MD) No.12044 of 2024
Date :30/07/2024

RK (30/07/2024) 5P / 7C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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