



CRL OP(MD). No.12604 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2024

PRESENT

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

CRL OP(MD). No.12604 of 2024

Kamal @ Kameshwaran, ... Petitioner/ Accused No8

Vs

The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
Cr. No. 420/2024. ... Respondent/ Complainant

For Petitioner : Mr.S. Ananthamurugan,
Advocate.

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

PRAYER :- For Bail in Crime No. 420 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.05.2024

for the offence punishable under Sections 147,148, 294(b), 323, 342, 302, 427, 506(ii)

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IPC in Cr.No.420 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the accused person unlawfully assembled with deadly weapons and abused the deceased and also committed murder.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that this Court granted bail to the co-accused.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed.

5.Considering the period of incarceration and also considering the fact that this Court granted bail to the co-accused, 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 No.I, Sivagangai

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/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 Judicial 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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02/08/2024

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

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TO
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1. Judicial Magistrate No.I, Sivagangai
- 2.The Chief Judicial Magistrate,Sivagangai District
- 3The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
- 4.The Officer Incharge, District Prison , Ramanathapuram
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.S.ANANTHAMURUGAN, Advocate (SR-9301[I] dated 02/08/2024)

ORDER
IN
CRL OP(MD) No.12604 of 2024
Date : 02/08/2024

KB -(02.08.2024) 4P/ 8C

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