



CRL OP(MD). No.14025 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14025 of 2024

Manojkumar @ Manoj,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Cr.No.166 of 2024..

... Respondent/ Complainant

For Petitioner : M/s.Vijayendiran V,
Advocate.

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

PETITION FOR BAIL Under Sec.483 BNS, 2023 / 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.166/2024 on the file of the respondent police.



CRL OP(MD). No.14025 of 2024

ORDER : The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 30.05.2024 for the offences punishable under Sections 307 and 302 IPC @ 307, 302, 114 and 34 IPC in Crime No. 166 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner herein and other accused attacked the defacto complainant and at that time, the son of the defacto complainant intervened and that they have attacked him also and caused death injuries. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations that due to the land dispute between the neighbours, the petitioner along with the other accused said to have attacked the father of the deceased and thereafter, when both sides were taken to the hospital for treatment, in the hospital, another clash broke out, in which the son was killed and the father was seriously injured and considering the fact that the petitioner is in jail



CRL OP(MD). No.14025 of 2024

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from 30.05.2024 and considering the fact that the investigation is now completed and the matter is pending committal in PRC No.9 of 2024, I am inclined to enlarge the petitioner on bail.

5. 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, Thiruchuli.

(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 stay at Madurai and report before the Triuppalai Police Station twice a day daily at 10.30 a.m and 5.30 pm for a period of three weeks, except the dates of hearing before the trial Court.

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



CRL OP(MD). No.14025 of 2024

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 229-A IPC.

sd/-
27/08/2024

/ TRUE COPY /

27/08/2024
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE, THIRUCHULI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT @ SRIVILLIPUTHUR.



CRL OP(MD). No.14025 of 2024

3. THE OFFICER IN CHARGE, DISTRICT JAIL, VIRUDHUNAGAR.

4. THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE,
TRIUPPALAI POLICE STATION,
MADURAI.

+1 CC to M/s.V.VIJAYENDIRAN, Advocate (SR-10376[I] dated 27/08/2024)

ORDER
IN

CRL OP(MD) No.14025 of 2024

Date :27/08/2024

RK (27/08/2024) 5P / 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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