



CRL OP(MD). No.14747 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Vadivel Rajan,

2. Siva,

3. Sakthi,

4. Isakki Muthu,

5. Siranjeevi,

... Petitioners/ Accused Nos.1to5

Vs

The Inspector of Police,
Alanganallur Police Station,
Madurai District.
Crime No. 230 of 2024.

... Respondent/ Complainant

For Petitioners : M/s. Arun.B,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

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For Bail in Crime No. 230 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A5, who were arrested and remanded to judicial custody on 13.06.2024 for the offences punishable under Sections 147, 148, 341, 342, 506(2) and 302 of IPC, 1860, in Crime No.230 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is the mother of the deceased. Earlier, the brother of the first petitioner was murdered by the son of the defacto complainant. To retaliate the same, the petitioners and the other accused are said to have trespassed into the house of the defacto complainant and attacked her son with deadly weapons and murdered him. Hence, the complaint.

3.Heard both sides.

4.The learned Additional Public Prosecutor would submit that detention order was passed under the Goondas Act as against the petitioners 2 & 4.

5.In view of the same, this petition is dismissed as against the petitioners 2 & 4 are concerned.



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6. Insofar as the petitioners 1, 3 & 5 are concerned, considering the nature of the allegations against them that by way of retaliation for the murder committed by the defacto complainant's son, he was murdered and also considering the fact that the prime accused in this case namely, Shiva and Isaki Muthu (Petitioners 2 & 4) are detained under Goondas Act and that the petitioners 1, 3 & 5 are arrested on 13.06.2024 and that there are no bad antecedents against the petitioners 1, 3 & 5, this Court is inclined to grant bail to the petitioners 1, 3 & 5 on certain conditions.

7. Accordingly, this Criminal Original Petition is partly allowed and the petitioners 1, 3 & 5 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 Judicial Magistrate Court, Vadipatti, Madurai District.

(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) Considering the retaliatory murder, the petitioners 1, 3 & 5 shall stay at



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Pattukottai, Thanjavur and report before the Pattukottai Police Station, daily at 10.30

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a.m., for a period of four weeks and thereafter, as and when required for interrogation;

(iii)the petitioners 1, 3 & 5 shall not tamper with evidence or witness;

iv)the petitioners 1, 3 & 5 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 1, 3 & 5 in accordance with law as if the conditions have been imposed and the petitioners 1, 3 & 5 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/-

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04/09/2024

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

DSS



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TO

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- 1 THE JUDICIAL MAGISTRATE
VADIPATTI, MADURAI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI..
- 4 THE INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
PATTUKOTTAI POLICE STATION, THANJAVUR DISTRICT.

+1 CC to M/s.B.ARUN, Advocate (SR-10897[I] dated 04/09/2024)

ORDER

IN

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Date :04/09/2024

SS/SAR- /04/09/2024/5P/8C

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