



CRL OP(MD)No.17998 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17998 of 2024

K.Ukkirapandi

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District,
Crime No.67 of 2023

... Respondent/Complainant

For Petitioner : Mr.L.Prabhu, 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.67 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused, who is arrested and remanded to judicial custody on 28.07.2024 for the offences punishable under Sections 279,337 and 304(A) of IPC altered into Sections 147, 148, 149, 120(b), 109, 302 and 201 of IPC, in crime No.67 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the deceased is the husband of A2 and was working in the Indian Military. When the deceased came on leave from the Military for one month, the petitioner along with other accused planned to eliminate the deceased and also murdered him by hitting his two wheeler and setting it up as an accident. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It is stated that A-2/Jothi developed an illicit affair with A-1 and on account thereof when A-2's husband, who was working in the military service doing service to the Nation came home on leave, the petitioner and other accused persons planned to eliminate him and in that context, A-2 clandestinely also purchased an insurance policy for a sum of Rs.30,00,000/- and thereafter, eliminated the deceased. Initially, it was set up as if it is an accident and the A2/Jothi's son, who was also travelling in the two-wheeler is also a co-accused, who also aided and helped the other accused in killing of his father.

5.Though the case is serious in nature, portraying the cruel intentions of these human beings and absolute lack of virtues and morals, only considering the fact that the petitioner is in judicial custody from 28.07.2024 and still the investigation is not completed, I am inclined to enlarge the petitioner on bail with certain conditions.



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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) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam, 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) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with 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].



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

sd/-
21/10/2024
/ TRUE COPY /
21/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.L.PRABHU, Advocate (SR-12803[I] dated 21/10/2024)

ORDER IN
CRL OP(MD) No.17998 of 2024
Date :21/10/2024

RS//SAR-(21.10.2024) 4P 7C
Madurai Bench of Madras High Court is issuing
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