



CRL OP(MD)No.17675 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17675 of 2024

Balamurugan @ Peter

... Petitioner/ A-1

Vs

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

... Respondent/ Complainant

For Petitioner : Mr.V.Vijayendiran,
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.166/2024 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



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30.05.2024 for the offence punishable under Section 307& 302 of IPC altered into Sections 307,302,114 & 34 of IPC, in Crime No.166 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 28.05.2024, at about 08.30 p.m., when the defacto complainant's husband was sitting near the village water tank, the petitioner and other accused persons abused the defacto complainant and also attacked him and thereby, he sustained injuries. Thereafter, the husband of the defacto complainant was taking treatment in Government Hospital, Thiruchuli, the petitioner and other accused came to the spot with Aruval and assaulted the husband of the defacto complainant and when the defacto complainant's son intervened, all the accused assaulted him with Aruval on his head and thereby, he died.

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

4.Considering the nature of allegation in this case that the petitioner along with the other accused attacked the defacto complainant and the deceased near their



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home and thereafter, when the deceased and the defacto complainant were taking treatment in the hospital, again the petitioner along with other accused pursued them and attacked them in the hospital itself and caused the death of the deceased and considering the fact that the petitioner is in judicial custody from 30.05.2024 and considering the fact that the case is now committed and is pending in SC.No.187 of 2024, I am inclined to enlarge the petitioner on bail with certain conditions.

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 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 stay at Tiruppur and report before the Inspector of Police, Tiruppur Town Police , Tiruppur, daily at 10.30 a.m., for a period of four weeks. 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 leave the said place except for attending the



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hearings in SC.No.187 of 2024, on such dates they have to specifically inform the concerned Police.

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

(v)the petitioner shall not abscond during trial.

(vi)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].

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

sd/-
18/10/2024

/ TRUE COPY /

18/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR



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TO
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- 1 THE JUDICIAL MAGISTRATE,
THIRUCHULI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
TIRUPPUR TOWN POLICE STATION, TIRUPPUR.

+1 CC to M/s.V.VIJAYENDIRAN, Advocate (SR-12674[I] dated 18/10/2024)

ORDER
IN
CRL OP(MD) No.17675 of 2024
Date :18/10/2024

SS/SAR- /18/10/2024/ 5P/8C

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