



WEB COPY

CRL OP(MD). A



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11850 of 2023

1. Anthony
2. Kalaiyarasi
3. Indra
4. Tamilarasi

... Petitioners/Accused No.2, 7 to 9

Vs

State Rep.by
The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
Crime No.63 of 2023.

... Respondent/Complainant

For Petitioners : M/s.Jegadeesh Pandian M,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

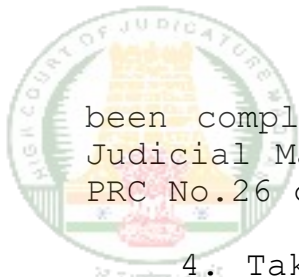
For Bail in Crime No.63 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused 2,7 to 9 who were arrested and remanded to judicial custody on 03.04.2023 for the offences under sections 448, 302 @ 109, 120(B), 177, 450, 302 of IPC in Crime No.63 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 30.03.2023, when the deceased was sleeping in a room after having food, the defacto complainant heard some noise inside the room and found that one person went away with a knife and her son with the cut injuries. He was taken to Government Hospital, soorakudi. There he was declared as dead. Hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report. Investigation has



been completed and final report has been filed before the learned Judicial Magistrate, Karaikudi and the same is pending Committal in PRC No.26 of 2013.

4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute 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, Karaikudi, Sivagangai District and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioners shall report before the learned Judicial Magistrate, Karaikudi on all working days at 10.30 am., until the case is committed to the court of sessions and thereafter before the trial Court on all hearing dates at 10.30 am., until further orders.

[d] the petitioners shall not commit any offences of similar nature.

[e] the petitioners shall not abscond either during investigation or trial.

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

30/06/2023

/ TRUE COPY /

30/06/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.



3 THE OFFICER INCHARGE, DISTRICT PRISON, RAMNAD.

4 THE INSPECTOR OF POLICE, KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.

5 THE OFFICER INCHARGE, SPECIAL PRISON, MADURAI.

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-9968[I] dated
30/06/2023)

ORDER

IN

CRL OP(MD) No.11850 of 2023

Date :30/06/2023

RS/VR/SAR-(30.06.2023) 3P 8C