



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twentieth day of December Two Thousand Thirteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.22809 of 2013

PALANISAMY

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VALANADU POLICE STATION,
TRICHY DISTRICT.
CRIME NO.134/2013.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.BHARATHI Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused and arrested and remanded to the judicial custody by the respondent police on 09.11.2013 for the alleged commission of offence under Section 302 of IPC, said to have been committed on 01.11.2013, in Crime No.134 of 2013 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complaint, who is the father of the deceased and brother of the accused lodged a complaint stating that the on 01.11.2013 at about 2.20 a.m., his son went to the field to switch on the electric mother and did not return and when he went, saw the accused fleeing away from there with iron rod and found the deceased unconscious with head injury.

3. The learned counsel for the petitioner would submit that it may be an accident and for this, this petitioner has nothing to do and since he is the sole accused, in all probabilities, the material part of the investigation might have been over and hence, he prayed for bail to the petitioner.

4. Learned Government Advocate(Crl. Side) submitted that initially a case was registered under Section 307 I.P.C. on 04.11.2013 and subsequently on 09.11.2013, it was altered into Section 302 I.P.C. and that the material part of the investigation is over.



5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the State and also perused the materials available on record.

6. Considering the facts and circumstances of the case this Court is inclined to enlarge the petitioner on bail subject to the following conditions. Accordingly, the petitioner is directed to be released on bail on executing a personal 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, Manapparai, and on further condition that the petitioner shall appear before the respondent police daily at 11.00 a.m, until further orders.

sd/-
20/12/2013

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MANAPPARAI, TRICHY DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY
 - 3 THE INSPECTOR OF POLICE, VALANADU POLICE STATION, TRICHY DT.
 - 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 - 5 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.BHARATHI Advocate SR.No.64000

ORDER
IN
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Date :20/12/2013

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