



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

Thursday, the Twenty Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10331 of 2015

M. SASI

... PETITIONER / ACCUSED No.8

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE

ARALVAIMOZHI POLICE STATION, KANYAKUMARI DT,

CRIME NO.155/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.GEORGE PAUL ANTO 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 arrayed as A8 in Crime No.155 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 04.05.2015 for the alleged offences punishable under Sections 147, 148, 149, 341, 294(b), 323, 307 and 302 of I.P.C., and hence, seeks bail.

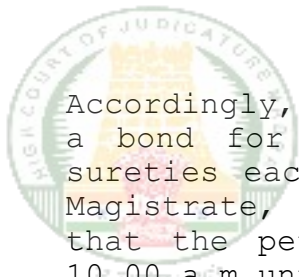
2.The case of the prosecution is that on 30.04.2015, a dispute arose between the accused and one Kolappan with regard to erecting a banner, A1 was assaulted by the said Kolappan and due to the above dispute, on 02.05.2015 the accused attacked the son of the de-facto complainant and he succumbs to the injuries.

3.The learned counsel for the petitioner submitted that the father of the deceased is the de-facto complainant and he stated in the complaint that A1 and A2 have attacked the deceased and there is no overt act attributed against this petitioner. He further submitted that the name of the petitioner is not found in FIR and he has been falsely implicated in this case and that the petitioner is an innocent person. He would further submit that co-accused has already been granted bail by this Court in Crl.O.P.No.10604 of 2015 on 17.06.2015.

4.The learned Government Advocate (Crl.side) opposed the bail petition stating that the dispute in a temple festival, the accused attacked the deceased with lethal weapons. He further submitted that the investigation is at initial stage.

<https://hcservices.ecourts.gov.in/hcservices/>

5.However, considering the overt act attributed against this petitioner, this Court is inclined to grant bail to the petitioner.



Accordingly, 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, Bhoothapandi, Kanyakumari District and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m until further orders.

WEB COPY

sd/-
25/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, BHOOHAPANDI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
ARALVAIMOZHI POLICE STATION, KANYAKUMARI DISTRICT.
 - 5 THE OFFICER INCHARGE, DISTRICT JAIL, KANYAKUMARI.
- +1. CC to M/S.L.GEORGE PAUL ANTO Advocate SR.No.33680.

TS/25.06.2015/2P -7C

ORDER
IN
CRL OP(MD) No.10331 of 2015
Date :25/06/2015