



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

Wednesday, the Twenty Second day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12486 of 2015

WEB COPY

MATHI @ MATHIVANAN

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

MELUR POLICE STATION, MADURAI DT.

CRIME NO.302 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.S.RAJESWARI Advocate

For Respondent : MR.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 A-1 in Crime No.302 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 30.04.2015 for the alleged commission of offence under Sections 294(b), 324 and 506(ii) of I.P.C @ 294(b) and 302 of I.P.C and hence seeks bail.

2. The case of the prosecution is that the deceased and the second accused are husband and wife and the first accused had developed illicit intimacy with the second accused. Since it was objected by the deceased, on 17.04.2015, the accused attacked the deceased with wooden log causing his death.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and the deceased died due to his falling down in an inebriated mood and the petitioner is no way responsible for that.

4.The learned Government Advocate(Crl. Side) submitted that the occurrence had taken place on 17.04.2015 and the deceased died on 20.04.2015 and the anticipatory bail petition filed by the second accused is still pending.



5. However considering the period of incarceration, this Court is inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed 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, Melur and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m until further orders. However, the second accused cannot take advantage of this order passed in this Criminal Original Petition.

sd/-
22/07/2015

/ TRUE COPY /

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

TO

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

+1. CC to M/S.A.S.RAJESWARI Advocate SR.No.39965

ORDER
IN
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Date :22/07/2015

PA/SJW/22.07.2015/2P/7C