



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

Wednesday, the Eighth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.12752 of 2015

DILIPKUMAR

... PETITIONER(S) / ACCUSED 1

Vs

V. BALAKRISHNAN

..INNTERVENOR

STATE REP BY: THE INSPECTOR OF POLICE
ARALVAYEEMOZHI POLICE STATION, KANYAKUMARI
DT, CRIME NO.155/2015

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Intervenor : MR. V.M. BALAMOHAN THAMBI, ADVOCATE

For Respondent : Mr.K.V.RAJARAJAN, Government 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 A1 in Crime No.155 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 06.05.2015 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 succumbed to the injuries.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the respondent. He further submitted that the co-accused had been released on bail by this Court in Crl.O.P (MD)No.10604 of 2015, vide order dated 17.06.2015.

4. The learned counsel for the intervenor vehemently opposed the granting of bail to the petitioner stating that the petitioner is the prime accused in this case and he had caused fatal injury



with aruval on the chest of the deceased.

5. Heard the learned Government Advocate(Crl. Side) also.

6. Considering the facts and circumstances of the case, I am 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.

sd/-

08/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE
BOOTHAPANDI

2 THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI

4 THE INSPECTOR OF POLICE
ARALVAYEEMOZHI POLICE STATION, KANYAKUMARI DT

5 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.37296

DM 8 7 15

ORDER

IN

CRL OP(MD) No.12752 of 2015

Date :08/07/2015

2P; 7C