



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

Wednesday, the Fifteenth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12850 of 2015

JAYAMURUGAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
GANDHIMARKET POLICE STATION, TRICHY,
CRIME NO.666/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU 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/sole accused, who was arrested by the respondent police on 25.05.2015 for the alleged offence under Section 302 IPC in Crime No.666 of 2015 on the file of the respondent police, seeks bail.

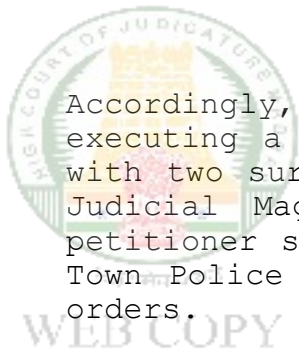
2. According to the prosecution, the accused attacked the deceased with the hook which is used by load men for loading and unloading and caused his death due to previous enmity.

3.The learned counsel for the petitioner submitted that the petitioner is working as a load man and on 24.05.2015, he along with a lorry went to the place of occurrence for transporting articles and the deceased was, in inebriated mood, objecting parking of the lorry.Subsequently, wordy quarrel arose between the parties and the deceased attempted to attack the accused with knife and as a self-defence, the petitioner attacked the deceased with the hook. The learned counsel further submitted that the petitioner did not have any intention to commit murder and the occurrence had taken place due to sudden provocation. It is further submitted that the petitioner has been incarceration for more than 50 days and he is ready to comply with any condition.

4.The learned Government Advocate (Crl.side) vehemently objected granting of bail to the petitioner stating that the petitioner is a History Sheeted Rowdy and he is having two previous cases for offence under Section 324 IPC. It is further submitted that the occurrence had taken place due to communal violence and tension is still prevailing.

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

5. However, considering the facts and circumstances of the case, I am 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 No.II, Trichy, and on further condition that the petitioner shall stay at Tindivanam and he shall appear before Tindivanam Town Police Station daily twice at 10.00 a.m and 6.00 p.m until further orders.

sd/-
15/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, TRICHY.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE, GANDHIMARKET POLICE STATION, TRICHY.
 - 5 THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
 - 6 THE OFFICER INCHARGE, TINDIVANAM TOWN POLICE STATION , TRICHY.
- +1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.

ORDER
IN
CRL OP(MD) No.12850 of 2015
Date :15/07/2015