



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

Thursday, the Twenty Third day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12971 of 2015

MUTHALAGU

... PETITIONER / ACCUSED No.4

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
GANDARVAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT , **CRIME NO.148/2015**
(AMENDED asper the order of this Hon'ble Court
DT.23.07.2015 and made in MP. NO. 1/2015
IN CRL OP.NO.12971/2015.)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.SENTHIL KUMAR Advocate

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

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

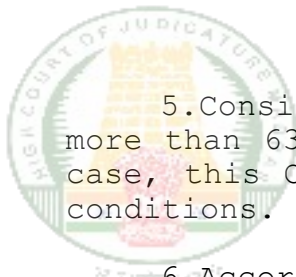
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4 was arrested and remanded to judicial custody on 19.05.2015 for the alleged offence punishable under section 302 of IPC r/w section 3(2)(v) of SC & ST Atrocities Act @ 302 of IPC, in Crime No.148 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 18.05.2015, the petitioner has taken the deceased to the nearest village for attending temple festival and thereafter, he did not return to his house and it came to light that due to previous motive, the accused thrown a stone on the head of the deceased and caused his death.

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 prosecution. The learned counsel further submitted that the respondent has originally filed a case against four accused, however filed a charge sheet against this petitioner alone and A1 to A3 have been deleted in this case. It is further submitted that there is no eye witness to the alleged occurrence and the entire case is based only on circumstantial evidence.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the respondent has completed the investigation and laid a charge sheet only against the petitioner.



5. Considering the fact that the petitioner has been incarceration for more than 63 days and the respondent has also laid a charge sheet in this case, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail, on his 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, Pudukkottai and on further condition that the petitioner shall appear before the respondent police daily at 10. 00 a.m until further orders.

sd/-
23/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, PUDUKKOTTAI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
GANDARVAKOTTAI POLICE STATION, PUDUKKOTTAI DISTRICT,
- +1. CC to M/S.T.SENTHIL KUMAR Advocate SR.No.40720.

TS/23.07.2015/2P - 6C

ORDER
IN
CRL OP(MD) No.12971 of 2015
Date :23/07/2015