



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

Thursday, the Sixteenth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13440 of 2015

WEB COPY

MADHUBALAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SIRUGANUR POLICE STATION, TRICHY DIST.

(IN CRIME NO. 190/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.ANANDAKUMAR 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 A2 in Crime No.190 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 01.06.2015 for the alleged offences punishable under Section 302 of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that on 27.05.2015 due to previous enmity, the accused attacked the deceased with spade and spade handle and caused death to Thirupathi and one Arumugam.

3.The learned counsel for the petitioner submitted that the accused and the deceased have dispute over the right of enjoyment of six cents of land and on the date of occurrence, the deceased attempted to put up a fence which was objected by the accused and immediately, the deceased attacked the accused with spade and spade handle causing injuries to the accused and as a self defence, they snatched the weapons from the deceased and attacked them. The learned counsel further submitted that the petitioner has sustained 17 injuries and he was admitted in the hospital and another accused viz., Kanagaraj also sustained injuries.

4.The learned Government Advocate (Crl.side)opposed this application contending that this is a case of double murder and the deceased were acquitted recently in a case of murder and due to previous enmity, the accused attacked the deceased. He further submitted that the investigation is not yet completed.



5. However considering the fact that, 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, Lalgudi and on further condition that the petitioner shall reside at Thoothukudi and report before the Sipcot Police Station daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-
16/07/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
LALGUDI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.
- 3 THE OFFICER INCHARGE,
SIPCOT POLICE STATION, TUTICORIN.
- 4 THE INSPECTOR OF POLICE
SIRUGANUR POLICE STATION, TRICHY DISTRICT.
- 5 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.39281

ORDER
IN
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Date :16/07/2015

PA/IV/SAR-I/16.07.2015/2P/8C