



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.13761 of 2015

N. BALAMURUGAN

... PETITIONER/SOLE ACCUSED

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,  
SAMAYANALLUR SUB DIVISION,  
NAGAMALAI PUDUKOTTAI POLICE STATION,  
MADURAI DISTRICT.  
(CRIME NO.257/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA 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 the sole accused in Crime No.257 of 2015 on the file of the respondent police, was arrested on 15.06.2015 for the alleged offences punishable under Sections 294(b) and 307 of I.P.C., and Section 3(2) (v) of SC/ST prevention of Atrocities Act, 1989 and subsequently, altered into Sections 294(b) and 302 of I.P.C. and Section 3(2) (v) of SC/ST Prevention of Atrocities Act, 1989 and hence, seeks bail.

2. According to the prosecution, on 14.06.2015, at 5.30 p.m., the deceased along with his two friends were speaking near their house and at that time, the accused came in a two wheeler in a high speed and thereafter, a wordy quarrel arose and the accused have attacked the deceased with hands and also pushed him in the drainage and thereby caused his death.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that even as per the prosecution, there is no pre-plan for commission of the offences and it occurred only out of sudden provocation.

4. The learned Government Advocate (Crl.side) submitted that the occurrence had taken place on 14.06.2015, in which all the accused attacked the deceased with hands and pushed him in the nearby drainage. It is further submitted that major part of the investigation is over and they are awaiting for the report of the forensic sciences.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. 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 III Additional District and Sessions Judge, PCR Court, Madurai and on



further condition that the petitioner shall reside at Salem and report before the Asthampatti Police Station daily twice at 10.00 a.m. and 5.00 p.m. until further order.

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sd/-  
23/07/2015

/ TRUE COPY /

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

TO

- 1 THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, PCR COURT,  
MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,  
SAMAYANALLUR SUB DIVISION,  
NAGAMALAI PUDUKOTTAI POLICE STATION, MADURAI DISTRICT.
- 4 THE OFFICER INCHARGE,  
ASTHAMPATTI POLICE STATION, SALAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.MOHIDEEN BASHA Advocate SR.No.40434

ORDER

IN

CRL OP(MD) No.13761 of 2015

Date :23/07/2015

PA/SJW/23.07.2015/2P/7C