



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

Tuesday, the First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16136 of 2015

R. SIVAPERUMAL

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY  
THE SUB INSPECTOR OF POLICE  
CENTRAL POLICE STATION,  
THOOTHUKUDI,  
THOOTHUKUDI DISTRICT.  
CRIME NO.307/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.E.V.N.SIVA Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate ( Crl. Side)

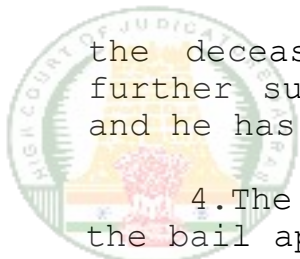
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused in Crime No.307 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 14.06.2015 for the alleged offences punishable under Sections 294(b), 302 and 506(ii) of I.P.C., and hence, seeks bail.

2.According to the prosecution, the deceased, who was already married to the de-facto complainant, having a daughter, left the matrimonial home and was residing with accused for about two years. It is the further case of the prosecution that the daughter of the deceased was living with her father and on the date of occurrence, the daughter joined with her mother, which was objected by the accused and on 14.06.2015, when the deceased and her daughter were proceeding to her husband's house, the accused waylaid them and stabbed the deceased with knife and caused death.

3.The learned counsel for the petitioner submitted that the case was registered based on the complaint given by the husband of the deceased and it is further alleged that he witnessed the occurrence and the conduct of the de-facto complainant would show that he was not present in the scene of occurrence. It is further submitted that even as per prosecution, after the occurrence one auto driver has taken the deceased to the Government Hospital, Thoothukudi and the de-facto complainant came to the hospital, after



the deceased was admitted in the hospital. The learned counsel further submitted that the accused was arrested only on suspicion and he has not committed any offence as alleged by the respondent.

4.The learned Government Advocate (Crl.side) vehemently opposed the bail application stating that the de-facto complainant is an eye witness to the occurrence and as per his version, the accused has stabbed the deceased with knife. She further submitted that major part of the investigation is over.

5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail on condition that 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, Thoothukudi, Thoothukudi District and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m.,until further orders.

sd/-

01/09/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II,  
THOOTHUKUDI

2.THE CHIEF JUDICIAL MAGISTRATE  
THOOTHUKUDI.

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

4.THE SUB INSPECTOR OF POLICE  
CENTRAL POLICE STATION,  
THOOTHUKUDI,  
THOOTHUKUDI DISTRICT.

5.THE OFFICER INCHARGE,  
SUB JAIL, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

+1. CC to M/S.E.V.N.SIVA Advocate SR.No.50503

ORDER

IN

CRL OP(MD) No.16136 of 2015

Date :01/09/2015

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