



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

Thursday, the Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17023 of 2015

MUTHAMIL SELVAN

... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP BY THE INS OF POLICE
MANDALAMANICKAM POLILCE STATION,
RAMANATHAPURAM DISTRICT
IN CR.NO 36/15

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.BABU JAGANATH Advocate

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

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

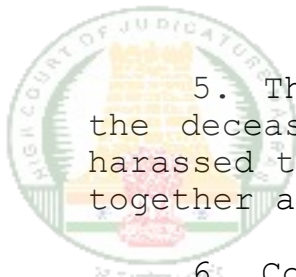
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3 in Crime No.36 of 2015 on the file of the respondent police, was arrested on 10.07.2015 for the alleged offences punishable under Section 302 I.P.C., and hence, seeks bail.

2. According to the prosecution, that the deceased is the father of the first accused and he had two wives and the first accused is the son born through the first wife of the deceased and due to torture given by the deceased in an inebriated mood, she committed suicide and thereafter, he married her own sister as the second wife and he continued the same attitude towards the second wife also which was objected by the sons and other family members, due to which, the accused attacked the deceased during the temple festival on 08.07.2015 and caused his death.

3. The learned counsel for the petitioner submitted that the petitioner's name is not mentioned in the F.I.R. and he is the friend of the first accused. The learned counsel for the petitioner further submitted that all the accused are schoolmates and the accused 2 and 4 were granted bail by the Juvenile Justice Board on 06.08.2015.

4. The learned counsel for the petitioner further submitted that the de-facto complainant is not an eye-witness to the occurrence and the petitioner has been implicated only based on the confession of the co-accused.



5. The learned Government Advocate (Crl.side) submitted that the deceased in a drunken mood used to attack his wife and also harassed the family members and due to which, the accused had joined together and lynched the deceased on 08.07.2015.

6. 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 District Munsif cum Judicial Magistrate, Kamudhi and on further condition that the petitioner shall appear before the respondent police daily at 6.00 p.m. until further orders.

sd/-
03/09/2015

/ TRUE COPY /

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

TO

1.THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KAMUDHI

2.THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM.

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

4.THE INS OF POLICE
MANDALAMANICKAM POLILCE STATION,
RAMANATHAPURAM DISTRICT

5.THE OFFICER INCHARGE,
BORSTAL SCHOOL, PUDUKOTTAI.

+1. CC to M/S R.BABU JAGANATH Advocate SR.No.51220

ORDER
IN
CRL OP (MD) No.17023 of 2015
Date :03/09/2015

RG.03.09.2015 AAL/MPZ/SAR-I 2P/7C.