



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

Friday, the Fourth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17185 of 2015

P. RAJA

... PETITIONER(S) / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
(IN CRIME NO. 291 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.SELVAM Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

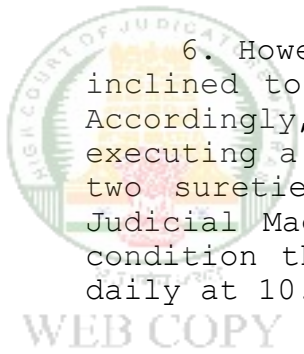
The petitioner, who is arrayed as A1 in Crime No.291 of 2015 on the file of the respondent police, was arrested on 10.07.2015 for the alleged offences under Sections 294(b), 109 and 302 IPC and hence seeks bail.

2. The case of the prosecution is that the marriage was solemnised between the second accused and the deceased in the year 2003 and they have begotten two children and thereafter suspecting that the deceased had developed illicit intimacy with the servant maid namely, Kaladevi, at the instigation of the second accused, the first accused attacked the deceased with lethal weapons and caused his death.

3.The learned counsel for the petitioner submitted that the prime accused was arrested and remanded to judicial custody on 04.07.2015 and even as per the case of the prosecution, the petitioner/A1 was abetted for commission of the offence.

4.It is further submitted that there was a quarrel between the deceased and the second accused prior to the occurrence and therefore, she left the matrimonial home and on the date of occurrence, she was residing with her parents. It is further submitted that the mother-in-law, who was having misunderstanding with the second accused, has falsely implicated her in this case.

5.Per contra, the learned Government Advocate (Crl.side) submitted that the occurrence had taken place only on 10.07.2015 and the investigation is at crucial stage and the first accused has killed the deceased on the insistence of the second accused and therefore, he is



6. However, considering the facts and circumstances of the case, I am 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 No.II, Usilampatti, Madurai District, and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
04/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE INSPECTOR OF POLICE
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.

2 THE JUDICIAL MAGISTRATE NO.II
USILAMPATTI,

3 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

4 THE SUPERINTENDENT OF PRISON
CENTRAL PRISON,
MADURAI

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1. CC to M/S J.SELVAM Advocate SR.No.51969.

ORDER
IN
CRL OP(MD) No.17185 of 2015
Date :04/09/2015

2P/7C
AM/GSV.PM/SAR-II/04.09.2015.