



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

Monday, the Seventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17256 of 2015

SAMUTHIRAPANDI

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PANAVADALICHATHRAM POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO. 132 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.KARUNANITHI for M/S K.J.ASSOCIATES

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 the sole accused, in Crime No.132 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 14.07.2015 for the alleged offences punishable under Section 174(3) Cr.P.C altered into Section 302 of I.P.C., and hence, seeks bail.

2.According to the prosecution, the accused had married the deceased about six years ago prior to the occurrence and they are having two children and on 03.02.2015, due to previous enmity, the accused attacked the deceased with vessel and caused her death.

3.The learned counsel for the petitioner submitted that there was a dispute between the petitioner and the brother-in-law of the de-facto complainant, for which, the petitioner's mother-in-law lodged a complaint against him and he was secured and later, he was released on bail.

4.It is further submitted that from the date of release, the petitioner was insisting the deceased from going to the house of the de-facto complainant, despite the same, she had been in the de-facto complainant's house for a period of one week and came to the house of the petitioner on 01.02.2015 and she brought some clothes and other



articles. It was questioned by the petitioner, so there was a wordy altercation, she is said to have attacked the deceased with vessel. He further submitted that immediately after the occurrence, the petitioner took the deceased to the hospital in a two wheeler and in the way, she fell down and sustained further injuries and died. He further submitted that the case was registered on 03.02.2015 and after five months, the case was altered into Section 302 of I.P.C.

5.The learned Government Advocate (Crl.side) would submit that the petitioner has been incarceration for more than 52 days and the major part of the investigation is over.

6.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail on the following conditions.

7.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, Sankarankoil and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders.

sd/-
07/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOIL.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
PANAVADALICHATHRAM POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S K.J.ASSOCIATES SR.No.52287

Akm/07.09.2015 /2p-7c/

ORDER
IN
CRL OP(MD) No.17256 of 2015
Date :07/09/2015