



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18790 of 2015

ARIVALAGAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
THANDIKUDI POLICE STATION,
DINDIGUL DISTRICT.
CR. NO.177 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S N.SATHISH BABU Advocate

For Respondent : M/s.S.PRABHA, Government 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.177 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 18.08.2015, for the alleged offences punishable under Section 302 of I.P.C., and hence, seeks bail.

2.According to the de-facto complainant, a wordy quarrel arose between the deceased and her husband with an inebriated mood over the adverse comments made against the mother of the accused, due to the motive on 11.08.2015 again wordy quarrel arose between them and thereafter, the accused attacked the deceased with iron rod and caused his death.

3.The learned counsel for the petitioner submitted that the deceased is none other than the maternal uncle of the petitioner and the deceased abused his mother in a filthy language and when it was quashed, the accused said to have attacked the deceased with iron rod. The learned counsel further submitted that even according to the prosecution, the accused has no Mens rea to commit the occurrence and it was occurred due to sudden provocation.

4.The learned Government Advocate (Crl.side) submitted that the occurrence had taken place on 11.08.2015 and the accused already surrendered before the learned Judicial Magistrate on the same day and the major part of the investigation is over.

5.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

6.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 Judicial Magistrate, Kodaikanal and on further condition that the petitioner shall report before the respondent Police daily at 10.00 a.m until further orders.

sd/-

30/09/2015



TO

1 THE JUDICIAL MAGISTRATE, KODAIKANAL, DINDIGUL DISTRICT.

2 ~~-DO-THRO~~'THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

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

4 THE SUB INSPECTOR OF POLICE, THANDIKUDI POLICE STATION,
DINDIGUL DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S N.SATHISH BABU Advocate SR.No.57381

ORDER IN

CRL OP(MD) No.18790 of 2015

Date :30/09/2015

PBK/SK-SKN/SAR-I 30/09/2015 ::2P-7C::