



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

Thursday, the Third day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22248 of 2015

NALLASIVAN @ MANI

... PETITIONER / SINGLE ACCUSED

Vs

STATE BY
THE INSPECTOR OF POLICE
SURANDAI POLICE STATION,
TIRUNELVELI DISTRICT
(Ref.Crime No.219 of 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.SAMUEL GUNASINGH Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

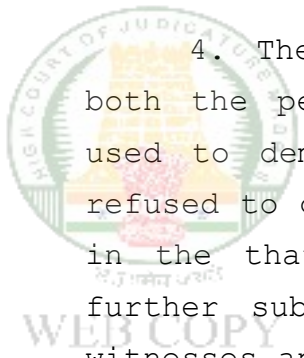
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused, in Crime No.219 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 12.10.2015 for the alleged offences punishable under Sections 174 Cr.P.C (Suspicious death) @ 302 of IPC and hence, seeks bail.

2. The case of the prosecution is that both the petitioner and deceased were neighbours and the deceased is a drunkard and used to take money from the petitioner. On the date of occurrence i.e on 10.10.2015, when the petitioner refused to give money, the deceased attempted to set fire in the thatched shed erected by the petitioner and therefore, there was a wordy quarrel between the petitioner and the deceased. Due to which the petitioner assaulted the deceased and caused death.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 12.10.2015 and therefore, he prays this Court for granting bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would submit that both the petitioner and the deceased were neighbours and the deceased used to demand money, but, on the date of occurrence, the petitioner refused to give money to the deceased, the deceased attempted to set fire in the thatched shed erected by the petitioner and caused death. He further submitted that the wife and brother of the deceased are eye witnesses and the investigation is pending.

5. Considering the gravity of offence and also considering the fact the investigation is pending, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-
03/12/2015

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
SURANDAI POLICE STATION, TIRUNELVELI DISTRICT

2. THE SUPERINTENDENT
CENTRAL PRISON, TIRUNELVELI.

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

+1. CC to M/S P.SAMUEL GUNASINGH Advocate SR.No.68991

ORDER
IN
CRL OP(MD) No.22248 of 2015
Date :03/12/2015

SH/GSV-AN/SAR-I:07.12.2015:2P/5C