



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23264 of 2015

JOHN JOSEPH

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
VICKRAMASINGAPURAM POLICE STATION,
TIRUENELVELI DISTRICT,
CR NO .56 OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S M.JEGADEESH PANDIAN Advocate

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

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

ORDER : The Court Made the following order :-

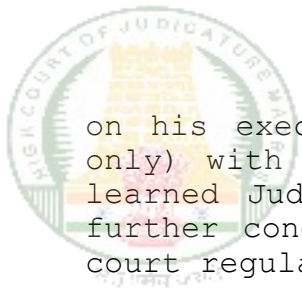
The petitioner/first accused was arrested and remanded to judicial custody on 22.09.2015 for the alleged offences punishable under Sections 147, 148, 323, 324, 506(ii) and 302 of IPC, in Crime No.56 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the first accused/petitioner is having brick chamber, near the house of the deceased and he was transporting the sand illegally and on seeing this, a complaint was lodged by the deceased Savithiri to the police and the case has been registered and thereafter he was detained under Act 14 of 1982 and due to that motive, the first accused got vengeance against the deceased and on 31.03.2015 and the first accused along with other accused conspired together and went to the house of the deceased and assaulted her by using wooden log in front of her daughters and due to that she sustained injury and caused death for the aforesaid offences.

3.The case of the petitioner is that the petitioner is an innocent person and there is no motive between the deceased and the petitioner. On 31.03.2015 the deceased Savithiri sustained injury, due to her diabetics her left leg was amputated and she died on 03.05.2015 and investigation has been completed and charge sheet is filed and the petitioner is in judicial custody from 22.09.2015.

4.The learned Government Advocate(Crl.side) submitted that the petitioner is having 5 previous cases and charge sheet is filed in C.C.No. 639 of 2015 before the Sessions Court, Tirunelveli.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused was released on bail in CR.No. 27420 of 2015 on 01.12.2015 and charge sheet is filed, 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 Judicial Magistrate, Ambasamudram, Tirunelveli District, and on further condition that the petitioner shall appear before the concerned court regularly.

sd/-
08/12/2015

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/ TRUE COPY /

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

TO

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

+1. CC to M/S M.JEGADEESH PANDIAN Advocate SR.No.70048

ORDER IN
CRL OP(MD) No.23264 of 2015
Date :08/12/2015

PBK/JGB-DP/SAR-I 08/12/2015 ::2P-7C::