



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

Tuesday, the Fifteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23363 of 2015

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... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO.472 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S F.DEEPAK 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 :-

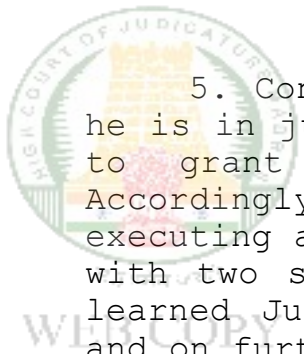
The petitioner, who is arrayed as accused No.1, in Crime No.472 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 11.10.2015 for the alleged offences punishable under Sections 174 Cr.P.C @ 304(ii) of IPC and hence, seeks bail.

2. The case of the prosecution is that the petitioner and others were trespassed into the house of the de facto complainant on 10.10.2015 and quarrelled with her husband and when the de facto complainant saw the petitioner and others with Wooden log and Aruval, immediately, she went to her mother-in-law's house to call her and on coming with mother-in-law, she did not find her husband and the accused persons. On the next day, it was informed by the villager that her husband was floating in a Channel and therefore, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case. He further submitted that due to previous enmity, the de facto complainant has given a false complaint against the petitioner. It is further contended that the petitioner is in judicial custody from 13.10.2015.

4. The learned Government Advocate (Crl. Side) vehemently opposed to grant bail to the petitioner and he further submitted that the investigation is pending.

trp



5. Considering the charges levelled against the petitioner and he is in judicial custody from 13.10.2015, 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, Padmanabhapuram, Kanyakumari District and on further condition that the petitioner shall appear before the respondent Police daily at 10.00 am until further orders.

sd/-

15/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PADMANABHAPURAM, KANYAKUMARI DISTRICT
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE
KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 THE OFFICERS INCHARGE
SUB JAIL AT NAGERCOIL KANYAKUMARI DISTRICT.

+1. CC to M/S F.DEEPAK Advocate SR.No.71561

ORDER

IN

CRL OP(MD) No.23363 of 2015

Date :15/12/2015

RG.NGM-SS/SAR-II 15.12.2015 2P.7C