



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Third day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.3753 of 2015

WEB COPY

KANNIMUTHU

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO. 442/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.RAJIV RUFUS Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

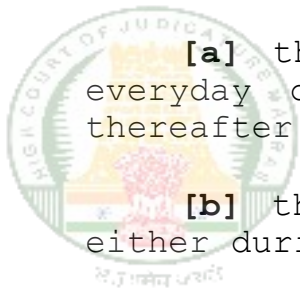
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 14.12.2014 for the offence punishable under Sections 302 IPC in Crime No.442 of 2014 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that this petitioner, who is a married man, had illicit intimacy with the deceased, who was also a married lady. This petitioner and the deceased had eloped to various places and ultimately on the intervention of the police, the deceased was secured. Thereafter, the deceased started troubling the petitioner asking him to marry her. On 05.12.2014, the petitioner went to the house of the deceased and she insisted that he should marry her. He flew into a rage and throttled her to death. Thereafter, the petitioner surrendered before the Village Administrative Officer and was later taken into judicial custody on 13.12.2014. Now, the petitioner is almost 80 days in incarceration and the investigation is almost completed. Under such circumstances, this Court is inclined to grant bail to the petitioner, but with conditions.

3. 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, Tiruchendur, and on further condition that:



[a] the petitioner shall report before the respondent police everyday daily at 06.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether these petitioner is complying with the condition or not.

sd/-
03/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE, THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE OFFICER-IN-CHARGE PRISON, SRIVAIGUNDAM
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.RAJIV RUFUS Advocate SR.No.10036
ORDER
IN
CRL OP(MD) No.3753 of 2015
Date :03/03/2015

NA/03/03/2015/P2/7C