



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

Friday, the Seventeenth day of April Two Thousand Fifteen

PRESENT

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The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7192 of 2015

1 VISHNUKUMAR
2 MUTHUKRISHNAN

... PETITIONERS / ACCUSED NOS.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
AUTHOOR POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.45/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

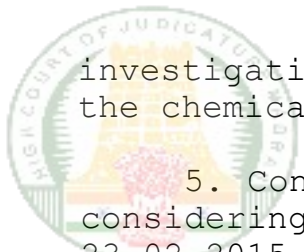
ORDER : The Court Made the following order :-

The petitioners are the accused Nos.1 and 2 and they were arrested and remanded to judicial custody on 23.02.2015 for the alleged offences punishable under Sections 302 IPC, in Crime No.45 of 2015 on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that the brother-in-law of the first petitioner had murdered his wife and he was facing a criminal case and when he is having three children, he attempted to marry an another lady. Due to which, quarrel arose between the petitioners and the deceased on 22.02.2015, the petitioners have attacked the deceased with Iron Rod and knife.

3. The learned counsel appearing for the petitioners submitted that admittedly the occurrence had taken place at 1.00 a.m on 23.02.2015, but the brother of the deceased lodged a complaint only on 8.45 a.m., on 23.02.2015. The learned counsel further submitted that the de-facto complainant is not an eye witness to the occurrence and on the basis of the statement obtained from the neighbours, the petitioners have been falsely implicated in this case.

4. Per contra, the learned Government Advocate (Criminal side) appearing for the respondent submitted that the deceased is brother-in-law of the first petitioner and the second petitioner is having another case and further he submitted that major part of the



investigation is over and the respondent police is waiting only for the chemical analysis report to lay the charge sheet.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in jail since 23.02.2015, this Court is inclined to grant bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail on each of them executing a personal 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 the petitioners shall report before the respondent police daily at 10.00 a.m. and 5.00 p.m until further orders.

sd/-

17/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
 - 3 THE INSPECTOR OF POLICE, AUTHOOR POLICE STATION, THOOTHUKUDI DT.
 - 4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.DEENADHAYALAN, Advocate SR.No.19577.

ORDER IN
CRL OP(MD) No.7192 of 2015
Date :17/04/2015

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