

Crl.O.P.No.5709 of 2016K.KALYANASUNDARAM, J.

The petitioner, who is the sole accused, was arrested and remanded to judicial custody on 05.02.2016 for the alleged offences punishable under Sections 294[b], 324 and 302 of IPC in Crime No.36 of 2016 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner borrowed Rs.3,00,000/- from one Pannervelu @ militarykarar. The de facto complainant and her deceased husband were insisting the petitioner to repay the loan amount. Due to which, a quarrel arose between the parties and the petitioner attacked the deceased with aluminium vessel and caused his death.

3.Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. It is further submitted that even according to the prosecution in a sudden quarrel, the petitioner is said to have attacked the deceased and therefore, the petitioner can be convicted only under Sections 323 or 304[ii] of IPC.

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4.Per contra, learned Government Advocate [Criminal Side] appearing for the respondent would submit that major part of the investigation is over and the respondent has to lay a charge sheet in this case. It is further submitted that the petitioner has no bad antecedents.

5.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum, to the satisfaction of the learned Judicial Magistrate No.II, Chengalpet and on further condition that the petitioner shall report before the respondent police daily at 10.00a.m. until further orders.

15.03.2016

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