

CrI.O.P.No.6408 of 2016K.KALYANASUNDARAM, J.

The petitioner, who is single accused in Crime No. 4365 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 21.12.2015 for the alleged offence punishable under section 302 IPC and hence, seeks bail.

2. The case of the prosecution is that the accused suspecting the fidelity of his wife often quarrelled with her. Hence, she lodged a complaint against her husband before the respondent police and on 21.12.2015 they were called to police station for enquiry and after attending the enquiry, the accused attacked the deceased with screw driver and caused death.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely roped in this case. It is further submitted that he is having two minor children, aged about 6 and 10 years and they are in the custody of the petitioner. It is also submitted that he has been in judicial custody for more than 90 days and he is ready to co-operate for investigation.

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4. The learned Government Advocate (Criminal side) appearing for the respondent vehemently opposed the bail petition contending that the deceased is none other than the wife of the petitioner and there are ample evidence to prove that he had committed the offence. It is further submitted that the major part of the investigation is over.

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 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 Court, Tambaram, Kancheepuram District, and on further condition that the petitioner shall report before the respondent police station daily at 10.00 a.m., until further orders.

30.03.2016

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