



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11990 of 2016

KARUPPASAMY

... PETITIONER / ACCUSED SOLE

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALWARKURUCHI POLICE STATION,
TIRUNELVELI DISTRICT,
CR NO. 25 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.VINOTH BHARATHI Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

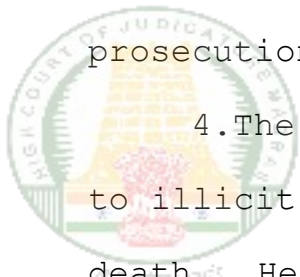
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 27.01.2016 for the alleged offences punishable under Sections 341, 294(b), 302 of IPC and Section 506 (ii) of IPC, in Crime No.25 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that due to illicit relationship between the deceased husband and the wife of the petitioner, the petitioner attacked the deceased Saraswathi with aruval and caused death. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent



prosecution. The petitioner is in judicial custody from 27.01.2016.

4.The learned Government Advocate(Crl.side) submitted that due to illicit intimacy, the petitioner attacked the deceased and caused death.* He further submitted that the investigation has been completed and the charge-sheet has been filed in P.R.C.No.17 of 2016.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 27.01.2016 and the investigation has been completed and the charge sheet has been filed in P.R.C.No.17 of 2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Ambasamudram.
- (ii) the petitioner shall report before the learned Judicial Magistrate, Ambasamuthram daily at 10.30 a.m., until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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] .

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

sd/-
19/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
AMBASAMUDRAM
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
ALWARKURUCHI POLICE STATION,
TIRUNELVELI DISTRICT,
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI
- 5 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S R.VINOTH BHARATHI Advocate SR.No.37566

JAM/19.07.2016/SK-SKN/SARIII/ 3P-7C

ORDER
IN
CRL OP(MD) No.11990 of 2016
Date :19/07/2016