



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

Wednesday, the Fourth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.7854 of 2016

AYYAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE
THE INSPECTOR OF POLICE
KANAVILLAKU POLICE STATION,
THENI DISTRICT.
(CRIME NO. 69 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.JEGADEESH PANDIAN Advocate
For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/sole Accused, who was arrested and remanded to judicial custody on 19.03.2016, for the offences punishable under Sections 341, 307 @ 302 IPC, in Crime No.69 of 2016, on the file of the respondent Police, seeks bail.

2. Heard Mr.M.Jegadeesh Pandian, learned counsel appearing for the petitioner /sole Accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the deceased is the son of the petitioner and that he had come in a drunken mood and picked up a quarrel with the petitioner, in which, the petitioner is said to have attacked the deceased. Initially, a case was registered under Sections 341 and 307 IPC and thereafter, it was altered into one under Section 302 IPC after the death of the son. The petitioner was arrested and remanded to judicial custody on 19.03.2016.

4. Taking into consideration the nature of allegations levelled against the petitioner in the First Information Report, this Court is of the view that this is a fit case to grant bail to the petitioner / sole Accused. Accordingly, he is ordered to be released on bail, subject to the following conditions:

<https://hcservices.ecourts.gov.in/hcservices/>

(1) the petitioner / sole Accused shall execute 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, Andipatti, Theni District.

(ii) the petitioner / sole Accused shall report before the respondent police daily at 06.30 p.m., until further orders.

(iii) the petitioner / sole Accused shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner / sole Accused 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 / sole Accused in accordance with law as if the conditions have been imposed and the petitioner / sole Accused 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]**.

5. 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/-

04/05/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT
2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
4. THE INSPECTOR OF POLICE,
KANAVILLAKU POLICE STATION, THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.JEGADEESH PANDIAN Advocate SR.No.25951

ORDER IN

CRL OP(MD) No.7854 of 2016

Date :04/05/2016

SML

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