



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Sixteen

PRESENT

WEB COPY

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

CRL OP(MD) No.8483 of 2016

THIRUPATHI

... PETITIONER/ACCUSED NO.3

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
CHINTHAMANIPATTI POLICE STATION,
KARUR DISTRICT,
CRIME NO. 60/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.P.M.VAISHNAVI Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

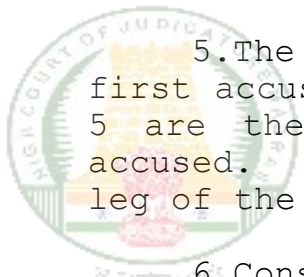
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER: The Court Made the following order :-

The petitioner is arrayed as accused No.5, who was arrested and remanded to judicial custody on 15.04.2016 for the alleged offences punishable under Sections 120(b) and 302 IPC, in Crime No.60 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 07.04.2016, at 11.45 p.m., when the de facto complainant called her husband, who was sleeping outside the house, there was no response and she found bleeding over the bed where her husband was sleeping and immediately she called her brother namely Sakthivel over phone, who came alongwith one Subramani and broke open the door from outside. They found that the deceased was dead. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner's name has not been mentioned in the FIR. The petitioner is only a friend of the first accused. Due to that he has been implicated in the case and there is no specific overtact attributed against this petitioner. The petitioner is in custody from 15.04.2016.



5.The learned Government Advocate(Crl.side) submitted that the first accused is the wife of the deceased and the accused Nos.3 to 5 are their friends. The first accused eloped with the second accused. During occurrence, the accused 3 to 5 caught hold of the leg of the deceased and caused his death. Investigation is pending.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 15.04.2016 and there is no specific overtact attributed against this petitioner in the First Information Report and his name is not mentioned in the First Information Report, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail on executing 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 No.I, Kulithalai and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
06/06/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KULITHALAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE SUPERINTENDENT CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE CHINTHAMANIPATTI POLICE STATION,
KARUR DISTRICT,
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGHCOURT, MADURAI.

+1. CC to M/S.V.P.M.VAISHNAVI Advocate SR.No.28041

ORDER
IN
CRL OP(MD) No.8483 of 2016
Date:06/06/2016

SDR/SKS-RR/SAR II/7.06.2016/2P/7C