

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fifth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN

CRIMINAL ORIGINAL PETITION No.5308 of 2017

RAJA

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

INSPECTOR OF POLICE

GUDIYATHAM TOWN POLICE STATION,

VELLORE DISTRICT.

CR.NO.31/2017

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, was arrested on 17.02.2017 and remanded to judicial custody on 18.02.2017 for the alleged offences punishable under Sections 294 (b), 326, 302 of I.P.C. in Crime No.31 of 2017 on the file of the respondent police and hence, seeks bail. The case was originally registered under Section 174(3) of Cr.P.C. in Crime No.31 of 2017 and thereafter altered to Sections 294 (b), 326, 302 of I.P.C.

2. The case of the prosecution is that on 14.01.2017 at about 5.30p.m., when the deceased came in his bike, there was a quarrel between him and the accused regarding obstruction of the road by playing game and thereafter the accused came to the house of the deceased at 8.30 p.m., and attacked the deceased and the deceased got pain in his chest at 11.00 p.m. and he was taken to the Hospital. He was reported dead.

3. The learned counsel appearing for the petitioner submits that the petitioner has been in custody from 18.02.2017; that charge sheet has been laid; that no weapon is alleged to have been used and that the petitioner is having permanent residence and therefore, he may be released on bail.

4. Learned Government Advocate [Crl. Side] opposes this petition. However, he concedes that investigation is over.

5.Considering the fact that investigation is already over and considering the duration of custody, the fact that the petitioner is having a permanent residence and also the entire facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail 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, Gudiyatham and on further condition that the petitioner shall report before the respondent police on every Monday at 10.00 a.m., for a period of two months.

-sd/-

05/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
GUDIYATHAM

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE
GUDIYATHAM TOWN POLICE STATION,
VELLORE DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL GUDIYATHAM

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR.NO.8418

CRL OP.5308/2017

Date :05/05/2017

PTI-05/05/2017