



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

Wednesday, the Twenty Sixth day of April Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.5145 of 2017

SUNDARRAJ, ... PETITIONER / SOLE ACCUSED
Vs

STATE REP BY
THE INSPECTOR OF POLICE,
APPANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.25/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

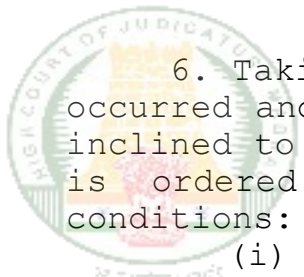
The petitioner/sole accused was arrested and remanded to judicial custody on 09.03.2017 for the offences punishable under Section 302 IPC in Crime No.25 of 2017, on the file of the respondent police, seeks bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent/State.

3. The learned counsel for the petitioner submitted that the allegations in the First Information Report are denied as false and concocted and the petitioner is in judicial custody from 09.03.2017 and he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the deceased and the accused are the son and the father. The petitioner, who is the father of the deceased, due to sudden provocation, has pushed down the deceased and also hit him with wooden log.

5.The petitioner is around 80 years old. According to the First Information Report, the deceased, who is the son of the petitioner, quarreled with the petitioner in a drunken mood and in that scuffle the petitioner has pushed down his son and assaulted him with wooden log and Postmortem report indicates that the deceased has consumed alcohol and the fatal injury is due to the attack on his skull.



6. Taking note of the circumstances under which the incident has occurred and taking note of the age of the petitioner, this Court is inclined to grant bail to the petitioner. 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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Sattur;

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with the 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 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 Magistrate/Trial Court.

sd/-

26/04/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO I
SATTUR, VIRUDHUNAGAR.

2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
APPANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

5 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.21193

ORDER

IN

CRL OP(MD) No.5145 of 2017

Date :26/04/2017