



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

Friday, the Ninth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.6968 of 2017

ATHITHAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ARALVOIMOZHI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.91 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.PILLAI MONIKANTAN Advocate

For Respondent : MR.C.RAMACHANDRAN ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 17.03.2017, for the alleged offence, punishable under Section 174 Cr.PC which was then altered to Section 302 IPC, in Crime No.91 of 2017, on the file of the respondent Police, seeks bail.

2.Heard Mr.S.Pillai Monikantan, learned counsel appearing for the petitioner and Mr.C.Ramachandran, learned Additional Public Prosecutor appearing for the State.

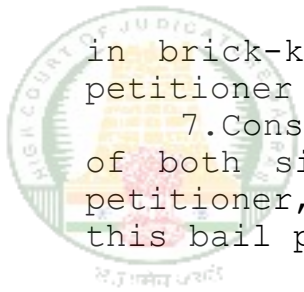
3.The fact of the case is that the petitioner and the deceased were in living relationship for seven years. There was discord in their relationship, which led to the brutal murder of the deceased, by stabbing her with screw driver and knife and later smothering her to death. Initially, the case was registered under suspicious death and later, investigation has revealed that the petitioner, after murdering the deceased person, has called her relatives over cell phone, pretending innocence about the occurrence.

4.The learned Additional Public Prosecutor submits that the final opinion of the Doctor is awaited and immediately on receipt of the Doctor's opinion, final report will be filed.

5.The learned counsel for the petitioner submits that the petitioner is in jail for nearly 83 days. Since the investigation is almost completed, he may be released on bail, on stringent conditions.

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

6.However, the learned Additional Public Prosecutor opposes this bail petition, on the ground that this petitioner is a labour



in brick-klin and there is every possibility to abscond, if the petitioner is released on bail.

7. Considering the rival submissions made by the learned counsel of both sides, this Court is not inclined to grant bail to the petitioner, till the completion of the investigation. Accordingly, this bail petition is dismissed.

sd/-

09/06/2017

/ TRUE COPY /

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

TO

1 OFFICER IN CHARGE,
SUB JAIL, NAGERCOIL.

2 THE INSPECTOR OF POLICE,
ARALVOIMOZHI POLICE STATION, KANYAKUMARI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.PILLAI MONIKANTAN Advocate SR.No.23732

ORDER

IN

CRL OP (MD) No.6968 of 2017

Date : 09/06/2017

MKV-CM-MSA-SAR 1/9.6.2017/2P-5C