



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

Tuesday, the Fourth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21391 of 2018

RANJITH

... PETITIONER / ACCUSED No.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PULIYAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.
Crime No.58/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.PRABU Advocate

For Respondent : Mr.S.CHANDRASEKAR
Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 16.09.2018 for the offences punishable under Section 302 of I.P.C., in Crime No.58 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased wife Mashadevi was having illegal intimacy with the petitioner and therefore there was a family dispute between the deceased Udhayakumar and his wife Mashadevi and on 13.09.2018 there was a Panchayat for reunion of the deceased and his wife, but the deceased had refused for reunion and making allegations that the petitioner was having illegal intimacy with his wife. Due to previous motive between the petitioner and the deceased Uthayakumar, the petitioner and along with other accused are joined hands stabbed the deceased with Aruval indiscriminately and caused death.

3.The learned counsel for the petitioner would submit that the petitioner's name is not found in the First Information Report and that the petitioner has been falsely implicated in this case. He would further submit that there is no eye witness to the occurrence



and only based on the confession of the accused, the petitioner has been arrested in this case.

4. The Additional Public Prosecutor would submit that investigation is almost over and awaiting for Forensic report.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his 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-I, Kovilpatti and on further condition that:

[a] the petitioner is directed to stay at Chennai and shall report before the E-1-Mylapore Police Station, Chennai, every day at 10.30 a.m., until further orders.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/12/2018

/ TRUE COPY /

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

TO



2. THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
PULIYAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT

4. THE INSEPCTOR OF POLICE,
E-1-MYLAPORE POLICE STATION, CHENNAI.

5. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYANKOTTAI.

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

+1. CC to Mr.M.PRABU Advocate SR.No.22595

ORDER
IN
CRL OP(MD) No.21391 of 2018
Date :04/12/2018

TK/PN/SAR-2/04.12.2018/3P/8C