



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

Wednesday, the Twenty Third day of May Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL OP(MD) No.7735 of 2018

KALAIARASAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
NITHURAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

CRIME NO.19/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.KATHIVELAN, Senior Counsel for
Mr.K.PRABHU Advocate

For Respondent : Mr.PRABU RAMACHANDRAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused was arrested and remanded to judicial custody on 28.01.2018 for the alleged offences punishable under section 174 Cr.P.C @ 302 and 380 IPC, in connection with a case in Crime No.19 of 2018 on the file of the respondent police and hence seeks bail.

2.According to the prosecution, the petitioner had illicit intimacy with the deceased Babyshallini and the deceased had also illicit intimacy with some other persons and the petitioner warned her, but she continued the same and that on 25.01.2018, the accused strangled the neck of the deceased and committed theft of her jewels and thereafter, he thrown the body in the Thambarabarani River and after sometime, he pushed her two minor children in the Thambarabarani river.

3.The learned Senior counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence alleged by the prosecution and that the petitioner is in judicial custody since 28.01.2018 and hence, the petitioner may be released on bail.

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

4.The learned Government Advocate (Criminal side) appearing for



the respondent submitted that in this case, after completing the investigation, charge sheet has been filed.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in jail since, 28.01.2018 and in this case, charge sheet has been filed, this court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, it is ordered that the petitioner shall 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.II, Kuzhithurai, Kanyakumari District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m and 5.00 p.m until further orders.

sd/-

23/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KANYAKUMARI, KANYAKUMARI DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT
NAGERCOIL
- 3 THE INSPECTOR OF POLICE
NITHURAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 5 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI

+1. CC to M/S.K.PRABHU Advocate SR.No.9059
ER
JAM/23/05/2018/ PN/RNB / 2P-7C