



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

Wednesday, the Twenty Fourth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18883 of 2018

HARIKRISHNAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
KADAMPUR POLICE STATION,
IN CRIME NO.110/2018,
THOOTHUKUDI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.RAJAMOHAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.08.2018 for the offence under Sections 294(b), 302 and 506(ii) of I.P.C. in crime No.110 of 2018 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the son of the defacto complainant and the wife of the petitioner herein have illegal intimacy and on seeing that, on 22.08.2018, at about 11.15 p.m., on seeing them together in the bed, the petitioner murdered them by attacking with Aruval. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner's wife and the son of the defacto complainant had illegal intimacy and when the petitioner entered into his house and on seeing them in the bed, on sudden provocation, he attacked them with Aruval indiscriminately and due to the grievous injuries sustained by them, they died. There is absolutely no previous motive as against the deceased. He would further submit that the petitioner is incarceration from 23.08.2018.



4.The learned Government Advocate (criminal side) would submit that the investigation is almost completed.

5.Considering the facts and circumstances of the case, this Court of the view that due to sudden provocation, the petitioner attacked the deceased and for the grievous injuries, they died and also considering the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner.

6. 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.2, Kovilpatti;

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

sd/-
24/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.2,
KOVILPATTI.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, TUTICORIN.

3 THE SUB INSPECTOR OF POLICE
KADAMPUR POLICE STATION, THOOTHUKUDI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.R.RAJAMOHAN Advocate SR.No. 20109

ORDER
IN
CRL OP(MD) No.18883 of 2018
Date :24/10/2018