



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

Tuesday, the Twenty Sixth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.10448 of 2018

PARAMAGURU

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
IN CRIME NO.236 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.WILLIAM CHRISTOPHER, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.2. He was arrested and remanded to judicial custody on 04.05.2018 for the offences punishable under Sections 294(b), 323, 506(i) of IPC and later altered into the section 302 IPC, in Crime No.236 of 2018, on the file of the respondent police. He seeks bail.

2.The deceased is none other than the brother-in-law of the petitioner herein. The deceased was having the habit of drinking liquor. Therefore, there used to arise regular domestic quarrel between them. In this regard, a quarrel has broken out on the fateful day and the petitioner had beaten the deceased. The deceased subsequently died.

3.Taking note of the sequences found in this case and taking note of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. 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, Rajapalayam, Virudhunagar District.



(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-

26/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
 3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 4. THE INSPECTOR OF POLICE, SOUTH POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.J.WILLIAM CHRISTOPHER Advocate SR.No.11394

ORDER

IN

CRL OP (MD) No.10448 of 2018

Date : 26/06/2018

MS/PN/RNB/27.06.2018/2P.7C