



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

Monday, the Twenty Seventh day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP (MD) No.15139 of 2018

SEKARAN

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
KADAMALAIKUNDU POLICE STATION,
IN CR NO. 439 OF 2018,
THENI DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.C.SUSI KUMAR Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

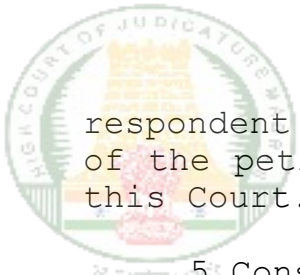
The petitioner/A1, who was arrested and in judicial custody since 03.08.2018 for the offences punishable under Section 306 of I.P.C., in Crime No.439 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and his wife came to the defacto complainant's house on 29.07.2018 at about 4.15 p.m. and scolded his wife and abused her. Defacto complainant and the petitioner are brothers. There is a civil suit pending as against the petitioner and the defacto complainant for partition. Due to the abusement of the petitioner and his wife, the wife of the defacto complainant committed suicide. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that due to the civil dispute, there was a wordy quarrel between the petitioner and the defacto complainant and he never abused the wife of the defacto complainant in respect of the civil suit. He would further submit that the wife of the petitioner was already granted anticipatory bail by this Court in Crl.O.P.(MD) NO.14160 of 2018.

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

4.The learned Additional Public Prosecutor appearing for the



respondent would submit that investigation is pending and the wife of the petitioner has already been released on anticipatory bail by this Court.

5. Considering the facts and circumstances of the case and considering the fact that there is civil suit pending for partition and already the wife of the petitioner was released on anticipatory bail and considering the period of incarceration, this Court is inclined to enlarge the petitioner on bail 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, Aundipatti;

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

sd/-
27/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, AUNDIPATTI, THENI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
- 3 THE INSPECTOR OF POLICE
KADAMALAIKUNDU POLICE STATION, THENI DISTRICT
- 4 THE SUPERINTENDENT, CENTRAL JAIL, MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.C.SUSI KUMAR Advocate SR.No.16191

ORDER
IN
CRL OP(MD) No.15139 of 2018
Date :27/08/2018

PK/PN/SAR-2/27.08.2018 : 2P/7C