



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

Monday, the Twenty Fifth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.10309 of 2018

ALAGUNAMBI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.61 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SARAVANAN, 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 in judicial custody since 22.04.2018 for the offences punishable under Sections 294(b) and 302 I.P.C, in Crime No.61 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned Government Advocate(Crl.Side) for the respondent.

3.This Court went through the contents of the First Information Report. It appears that due to domestic quarrel, the petitioner kicked his wife on her stomach, leading her death.

4.The learned counsel for the petitioner submitted that it can not be a case of murder and not attracting Section 302 I.P.C.,

5.Since the petitioner is having two children and there is no one to take care of them and also the fact that the petitioner and the deceased got married 15 years ago, 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, Srivaikundam.



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

(iii) the petitioner shall not abscond.

(iv) 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/-
25/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
 3. THE OFFICER INCHARGE, DISTRICT PRISON,
PERURANI, THOOTHUKUDI.
 4. THE INSPECTOR OF POLICE
MURAPPANADU POLICE STATION, THOOTHUKUDI DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.M.SARAVANAN Advocate SR.No.11240

ORDER
IN
CRL OP(MD) No.10309 of 2018
Date :25/06/2018

MS/CSL/RNB/25.06.2018/2P.7C