



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

Tuesday, the Twenty First day of August Two Thousand and Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.13834 of 2018

SENTHIL @ SENTHILKUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLCIE STATION,
SIVAGANGAI DISTRICT.

(CRIME NO.278 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.S.RAJESWARI, 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 is in judicial custody since 25.06.2018 for the offence punishable under Section 302 I.P.C. in Crime No.278 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that a complaint has been lodged by the father of the deceased alleging that his daughter got married with the petitioner seven years back. Out of the wedlock, they had given birth to two children. Very often, there was a family dispute for simple issue between the deceased and the petitioner. Therefore, the deceased was driven out of the matrimonial house. On 20.06.2018, the defacto complainant with his wife and his deceased daughter returned to the matrimonial home of the petitioner, the petitioner assaulted the deceased with knife. The deceased succumbed to injuries. Hence, the case has been registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. The petitioner and the deceased got married seven years back and they gave birth to two children. Now the children are suffering without parents. Only due to sudden provocation, the petitioner assaulted the deceased, due to which, she died. He further submitted that the petitioner is in incarceration from 25.06.2018 onwards. Hence, he prays for bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation is pending.

5.Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. 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.I, Sivagangai.

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

sd/-
21/08/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3.THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

4.THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICIE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.A.S.RAJESWARI, Advocate, SR.No.15807.

ORDER

IN

CRL OP(MD) No.13834 of 2018

Date :21/08/2018