



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

Wednesday, the Twenty Eighth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.19725 of 2018

SIRAJUDEEN

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KARUR POLICE STATION,
PUDUKOTTAI DISTRICT.
IN CRIME NO.39 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.LENIN KUMAR Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

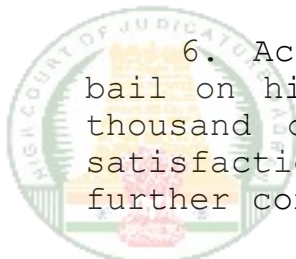
The petitioner was arrested and remanded to judicial custody since 27.08.2018 for the offences punishable under Sections 449, 302, and 506(ii) IPC, in Crime No.39 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's daughter's husband is working in abroad. Taking advantage of her loneliness, her sister-in-law's husband/the petitioner herein was harassing her to marry him. Due to which, there was a dispute between them. On 27.08.2018, the petitioner attacked the complainant's daughter with knife, she died. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, prayed for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is in custody from 27.08.2018 and investigation is almost completed by the respondent and waiting for chemical analyzing report.

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



6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Aranthangi, and on further condition that:

[a] the petitioner shall report before the respondent police daily twice at 10.30 am and 05.00.p.m.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 learned 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

28/11/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ARANTHANGI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
PUDUKOTTAI.
4. THE INSPECTOR OF POLICE,
KARUR POLICE STATION, PUDUKOTTAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.T.LENIN KUMAR Advocate SR.No.22249

ORDER

IN

CRL OP(MD) No.19725 of 2018

Date :28/11/2018

MS/VR-MMS/SAR-2/28.11.2018/2P.7C