



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22847 of 2018

KASIMAYAN

... PETITIONER / ACCUSED NO.3

Vs

STATE THROUGH THE
THE SUB INSPECTOR OF POLICE,
SINDHUPATTI POLICE STATION,
(CRIME .NO.212 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M. MARAN Advocate

For Respondent : Mr.A.ROBINSON Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

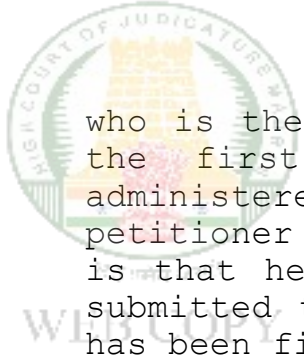
The petitioner is remanded to judicial custody in Crime No.212 of 2018 on the file of the respondent police for the offences punishable under Sections 302 & 201 IPC and he seeks bail.

2.The case of the prosecution is that the defacto complainant is the mother of the deceased and the petitioner is the husband of the defacto complainant. Since the deceased was in the habit of consuming liquor and quarreling with family members, the petitioner warned him. However, the deceased did not mend his ways. Therefore, at the instigation of this petitioner, the other accused attacked and administered poison to the deceased. Hence, complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] for the respondent State.

4. According to the petitioner, there is no eye witness to the occurrence and the petitioner has nothing to do with the alleged occurrence.

5. The learned Government Advocate [Criminal Side] opposed for grant of bail. He submitted that the petitioner is the father of the deceased and the deceased was in the habit of consuming liquor and creating quarrel in the family. On the day of occurrence, Al,



who is the wife of the deceased, and A2, who is the son-in-law of the first accused's sister, had assaulted the deceased and administered some poison, out of which the deceased had died. This petitioner is arrayed as A3. The allegation against the petitioner is that he instigated A1 & A2 to kill the deceased. He further submitted that the investigation is completed and the final report has been filed.

6. Considering the facts and circumstances of the case and also taking into consideration the fact that the investigation is completed and the final report has been filed, 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, Thirumangalam, Madurai District.

(ii) the petitioner shall appear before the respondent police as and when required;

sd/-
27/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE SUB INSPECTOR OF POLICE,
SINDHUPATTI POLICE STATION, MADURAI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISION, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT MADURAI.

+1. CC to Mr.M. MARAN Advocate SR.No.24037

ORDER
IN

CRL OP (MD) No.22847 of 2018
Date : 27/12/2018