



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

Friday, the Twenty Eighth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.17352 of 2018

GURUSAMY @ COONAGURUVAN

... PETITIONER / ACCUSED

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.137 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.A.ABDUL MUTHALIF Advocate

For Respondent : M/S.M.ANANTHA DEVI, 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 28.07.2018 for the offences punishable under Sections 294(b), 448, 324 and 506(2)@302 IPC, in Crime No.137 of 2018 on the file of the respondent police. He seeks bail.

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

3.The case of the prosecution is that the deceased borrowed a sum of Rs.2,000/- from the petitioner. When the petitioner demanded to repay the said borrowed money from the deceased, there was a quarrel and attacked the deceased with wooden stick, thereby he died. Hence, the complaint.

4.The learned counsel for the petitioner would submit that there is no previous motive against the deceased. When the petitioner demanded the borrowed money of Rs.2,000/-, the above said occurrence took place. He further submitted that the petitioner is in judicial custody from 28.07.2018 onwards. Hence, he prays for grant of bail to the petitioner.



5.The learned Government Advocate (Crl. Side) for the respondent submitted that the deceased died after four days of the above said occurrence and the investigation is pending.

6.Considering the facts and circumstances of this case 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.II, Srivilliputhur.

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

sd/-
28/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE SUB INSPECTOR OF POLICE,
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.A.ABDUL MUTHALIF Advocate SR.No. 87631

ORDER
IN
CRL OP(MD) No.17352 of 2018
Date :28/09/2018

JM/VR MMS/SAR 1/28.09.2018/2P/7C