



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

Friday, the Fifth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.17766 of 2018

PONMARI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY ITS
THE SUB INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME.NO.277 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.S.JEYAKARTHIK 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 16.08.2018 for the offence punishable under Sections 294(b), 324, 307 and 506 (ii) of IPC @ 294(b), 324, 307, 302 and 506(ii) of IPC, in Crime No.277 of 2018 on the file of the respondent police. He Seeks bail.

2. The case of the prosecution is that the petitioner and the husband of the deceased are auto drivers and there was previous enmity between both of them. On the date of occurrence there was a wordy quarrel and it is stated that the petitioner had attacked the wife of the defacto complainant with knife. The incident took place on 14.08.2018. Immediately the deceased was rushed to the hospital. However, she died on 18.08.2018. Initially First Information Report was registered under Section 307 of IPC and later it was altered to section 302 of IPC.

3. The learned counsel for the petitioner would submit that the petitioner has been ropped in as accused only due to previous enmity between the petitioner and the husband of the deceased. He would further submit that the petitioner is in confinement for more than 51 days. Hence, he prays for grant of bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Additional Public Prosecutor would submit that there was prior enmity for the commission of offence. On the date of



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occurrence the petitioner had stabbed the wife of the defacto complainant. He would further submit investigation is almost completed in this case.

5. Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, and that the investigation is almost completed, 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, Sivagiri

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

sd/-

05/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
SIVAGIRI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI .
- 3 THE SUB INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE SUPERINTENDENT,
CNETRAL PRISON, PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.19009
PS/PN/SAR-4;05/10/2018p2P/7C

ORDER

IN

CRL OP (MD) No.17766 of 2018

Date :05/10/2018