



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2018

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THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Crl.A.(MD) No.441 of 2018

1.Sundaramoorthy Chellaiah
2.Samuvel

...Appellants

Vs.

1.The Deputy Superintendent of Police,
Virudhunagar
Virudhunagar District.

2.The Inspector of Police,
Vachakkarapatti Police Station,
Virudhunagar District.
In Crime No.252 of 2018.

3.V.Rajalakshmi

...Respondents

PRAYER:Criminal Appeal - filed under Section 14 A (2) of SC/ST Act, to call for the records and set aside the order passed by the Principal District and Sessions Court (Special Court for SC/ST (POA) Act under 1989 offence cases, Virudhunagar District at Srivilliputtur in Cr.M.P.No.3274 of 2018 on 04.08.2018 and enlarge the appellants on bail by allowing this Criminal Appeal.

For Appellant : Mr.V.Thirumal

For R1 and R2 : Mr.A.Robinson

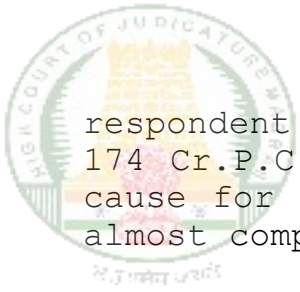
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel for the appellant and the learned Government Advocate (Crl.Side) for the official respondents.

2.The learned counsel for the appellants submits that the deceased Madasamy fell of his own in the Well due to drunkardness and the act of the appellants are not the reason for his death.

3.The learned Additional Public Prosecutor would submit that the deceased Madasamy was paramour of the mother of the first appellant. The deceased was taking care of the appellants and his mother for several years. The first appellant did not like the relationship of his mother with the deceased and hence, the first appellant accompanying with the second appellant caused the death of the deceased and concealed his body by throwing into the Well. The



respondent police initially registered the complaint under Section 174 Cr.P.C. Later it was found that the appellants 1 and 2 are the cause for the death of the deceased Madasamy. The prosecution has almost completed the investigation.

4.The learned counsel for the appellants submits that the appellants are already in prison for the past 85 days and they are ready to co-operate with the investigation and for trial.

5.Taking note of the nature of the offence as alleged against them and the stage of the investigation, this Court is inclined to grant bail to the appellants on the following conditions:-

(i)The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the Principal District and Sessions Court (Special Court for SC/ST (POA) Act under 1989 offence cases), Srivilliputhur, Virudhunagar District.

(ii) The petitioner shall report before the respondent police daily at 10.30 am., until further orders.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1.The Principal District and Sessions Judge,
(Special Court for SC/ST (POA) Act,
Virudhunagar District at Srivilliputhur.

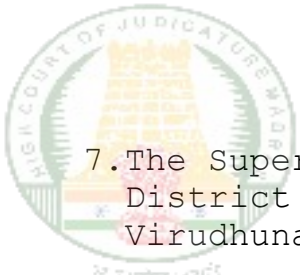
2.-do-through the Chief Judicial Magistrate,
Virudhunagar at Srivilliputhur.

3.The Judicial Magistrate No.I,
Virudhunagar.

4.The District Collector,
Virudhunagar District.

5.The Deputy Superintendent of Police,
Virudhunagar
Virudhunagar District.

6.The Inspector of Police,
Vachakkarapatti Police Station,
Virudhunagar District.



7. The Superintendent,
District Prison,
Virudhunagar.

8. V. Rajalakshmi,
Village Administrative Officer,
Chinnavadipatti Village,
Virudhunagar District.

9. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.V.THIRUMAL, ADVOCATE IN SR.NO.89292.

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DS SKN SAR-2 11.10.2018 3P/11C

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08.10.2018