



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

Wednesday, the Twenty Fourth day of October Two Thousand Eighteen

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PRESENT

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

CRL OP (MD) No.17187 of 2018

THIRUMURUGAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MATHUKKUR POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.149/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 12.08.2018 for the offence under Sections 302 and 201 of I.P.C. in crime No.149 of 2018 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.08.2012, when the deceased contacted the petitioner over phone and informed that he stayed at Everest Park hotel at Trichy. Further, he requested to come Trichy. On such request, the petitioner went to Trichy and met the deceased and they went to Mannarkudi and other places, where, they consumed alcohol. At that time, due to the wordy quarrel between them, on sudden provocation, the petitioner pushed down the deceased. On sudden fall, the petitioner sustained head injury and died. Thereafter, his body was taken by the petitioner to his house and kept the same in his house and set fire on the body and destroy the same. On his extra judicial confession before the Village Administrative Officer, the complaint has been lodged and the petitioner was arrested and remanded to judicial custody on 12.08.2018.



3.The learned counsel appearing for the petitioner would submit that the petitioner and the deceased are close friends. The deceased used to come to India twice in a year and he is the person to accommodate the deceased in all the places of India and due to wordy quarrel, on sudden provocation, the petitioner pushed down the deceased, on which, unfortunately, he sustained head injury and died.

4.The learned Government Advocate (criminal side) would submit that the deceased and the petitioner developed homosexual between them and due to which, a wordy quarrel arose and the petitioner pushed down the deceased and he sustained head injury and died. On the extra judicial confession statement of the petitioner, the case has been registered and he was arrested and remanded to judicial custody.

5.Considering the facts and circumstances of the case, this Court of the view that due to sudden provocation, the petitioner pushed down the deceased, in which, he sustained head injury and died. Therefore, this Court is inclined to grant bail to the petitioner.

6. 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, Pattukottai;

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

sd/-
24/10/2018

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

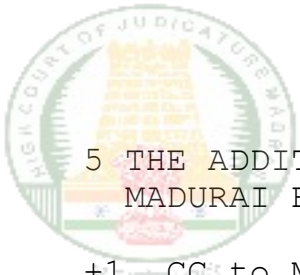
TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
MATHUKKUR POLICE STATION, THANJAVUR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1..CC to M/S.B.JAMEEL ARASU Advocate SR.No.20088

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ORDER

IN

CRL OP (MD) No.17187 of 2018

Date :24/10/2018

JM/PN/SAR 2/24.10.2018/3P/7C