



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

Friday, the Twelfth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.18138 of 2018

THANGAVEL (CHINNADURAI)

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KALLIMANDAYAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.132 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.R.SURESHKUMAR Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

For Intervenor : Mr.D.VENKATESH, Advocate

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 04.08.2018 for the offences punishable under Section 302 I.P.C. in Crime No.132 of 2018, on the file of the respondent Police. He seeks bail.

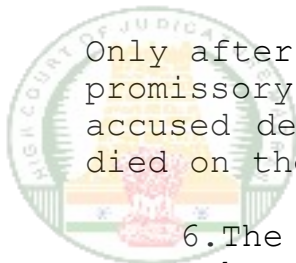
2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3.The case of the prosecution is that the deceased's son borrowed a sum of Rs.2,00,000/- from the petitioner herein. The petitioner demanded and threatened the deceased and his son for repayment of the said amount. Therefore, there was a wordy quarrel between the petitioner and the deceased's son. On 03.08.2018, the de-facto complainant's brother informed that the petitioner attacked the deceased with aruval and escaped from the spot. Due to serious injuries sustained by him, he died on the spot. Hence the complaint.

4.The learned counsel appearing for the petitioner would submit that the petitioner had no previous provocation to do the crime.

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

5.The learned counsel appearing for the intervenor would submit that the deceased son had borrowed some amount from the accused.



Only after receipt of the original land documents, blank cheques and promissory notes, the accused gave the money. Thereafter, the accused demanded money and attacked the deceased. As a result, he died on the spot.

6. The learned Additional Government Pleader appearing for the respondent would submit that the deceased son's borrowed a sum of Rs.2,00,000/- from the petitioner. He also further submitted that the investigation is pending.

7. Considering the above facts and circumstances and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner on condition that the petitioner shall return the original land documents, promissory notes and also blank cheques to the de-facto complainant. 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, Oddanchatram.

(ii) the petitioner shall appear before the Pudukottai Town Police Station daily at 10.30 a.m. until further orders;

sd/-
12/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ODDANCHATRAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE, KALLIMANDAYAM POLICE STATION, DINDIGUL DISTRICT.
5. THE INSPECTOR OF POLICE, PUDUKOTTAI TOWN POLICE STATION.
6. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.R.SURESHKUMAR Advocate SR.No.19557

ORDER IN
CRL OP(MD) No.18138 of 2018
Date :12/10/2018