



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

Wednesday, the Thirtieth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.1420 of 2019

NAYAMPULI@RAMASAMY

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
Crime No.17/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.JOTHIBASU Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 19.01.2019 for the offences punishable under Section 306 of IPC in Crime No. 17 of 2019, on the file of the respondent police, seeks bail.

2. Totally there are four accused in this case. The petitioner and the defacto complainant are relatives. The case of the prosecution is that due to civil dispute regarding pathway, on 18.01.2019 at about 06.0 p.m there was a wordy quarrel between the A1 and deceased. It is further alleged petitioner/accused lodged a complaint to the police in respect of the incident and the respondent police directed the deceased to come to the police station on 19.01.2019 for enquiry. On the same day the deceased consumed pesticide in front of the police station and succumbed to poison.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. He would also submit that the petitioner is a senior citizen.



4. The learned Government Advocate (Crl.Side) would submit that there was a verbal fight between the defacto complainant and the petitioner's family with regard to the pathway. He would also submit that investigation is at the initial stage.

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5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on their executing 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, Aruppukkottai and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/01/2019

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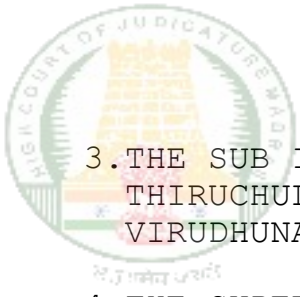
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
ARUPPUKKOTTAI.

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

2. THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



3. THE SUB INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1. CC to M/S.G.M.LAW OFFICE Advocate SR.No.1758

ORDER

IN

CRL OP(MD) No.1420 of 2019

Date : 30/01/2019

TK/VR/SAR-2/30.01.2019/3P/7C