



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 27/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8674 of 2019

K.Sakthivelmurugan

... Petitioner/Accused No.1

Vs

State Rep.by

The Inspector of Police,
Srirangam Police Station,
Trichy City.

(Crime No.291 of 2019).

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran, Advocate.

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

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

PRAYER :-

For Bail in Crime No.291 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petition has been filed by Accused No.1 seeking bail for the alleged offence punishable under Sections 294 (b) and 307 of IPC, in Crime No.291 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that even as per the FIR, the petitioner and the defacto complainant are husband and wife. Due to some misunderstanding, the petitioner and the defacto complainant are living separately. On 10.06.2019, while the defacto complainant was standing near her father's shop, the petitioner and his friend came to the shop and threw the petrol bottle against the defacto complainant with an intention to kill her. He further submitted that no one sustained injury and the petitioner was arrested and remanded to judicial custody on 10.06.2019 and by this time, investigation might have been completed, and therefore, he prayed to grant bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent has submitted that the petitioner and the defacto complainant are husband and wife. Due to some misunderstanding, the petitioner and the defacto complainant are living separately. On 10.06.2019, while the defacto complainant was standing near her father's shop, the petitioner and his friend came to the shop and threw the petrol bottle against the defacto complainant with intention to kill her. Hence, he opposed to grant bail to the petitioner. However, he fairly conceded that no one sustained injury.

5.Considering the fact that the petitioner is the husband of the defacto complainant and also the fact that no one sustained injury and the petitioner is in custody from 10.06.2019, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a]the petitioner is ordered to be released on bail on his 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, No.3, Thiruchirappalli District.

[b]the petitioner shall report before the respondent police daily at 10.00.a.m for a period of one month and thereafter, as and when required for the interrogation.

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

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

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-

27/06/2019

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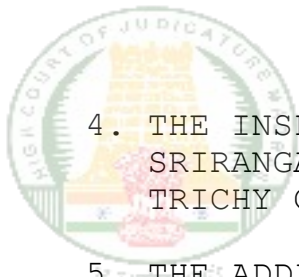
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.3,
THIRUCHIRAPPALLI DISTRICT.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.



4. THE INSPECTOR OF POLICE,
SRIRANGAM POLICE STATION,
TRICHY CITY.

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

+1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.10589

ORDER

IN

CRL OP (MD) No.8674 of 2019

Date :27/06/2019

MS/VR/SAR-4/27.06.2019/3P.7C