



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2019

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.12288 of 2019

John Joseph, ... Petitioner/Accused

Vs

State rep by
The Inspector of Police,
Ammaiyanaickanur Police Station,
Dindigul District Crime No. 175 of 2019.
... Respondent/Complainant

For Petitioner : M/s. J. Lawrance,
Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 175 of 2019 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate appearing for the respondent.

2.The petitioner is in judicial custody since 21.07.2019 for
the offences punishable under Sections 302 and 201 of I.P.C., in
Crime No.175 of 2019 on the file of the respondent police. He seeks
bail.

3.The petitioner is alleged to have murdered his wife and also
attempted to screen the evidence. The motive is said to be
adulterous conduct of the victim.



4.The occurrence had taken place on 19.07.2019. The petitioner is having two children. One of them is said to be an Autism patient. The children are in custody of the petitioner's parents. Investigation appears to have been almost over.

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5.Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioner on bail with certain conditions. 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, Nilakkottai.

(ii)the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii)on breach of any of the aforesaid conditions, the 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 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].

sd/-
03/09/2019

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

pmu

TO

1. The Judicial Magistrate, Nilakottai.
2. Do-Through The Chief Judicial Magistrate,
Dindugal District.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police,
Ammaiyanaickanur Police Station,
Dindigul District



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

+1CC TO MR.J.LAWRANCE, Advocate Sr. No. 14659

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ORDER

IN

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TR/PN/SAR-II (04.09.2019) 3P 7C