



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

Date : 14/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2634 of 2020

Vasanth

... Petitioner/2nd Accused

Vs

The State rep.by
The Inspector of Police,
Chatrapatti Police Station,
Dindigul District.
Crime No.262 of 2019

... Respondent/Complainant

For Petitioner : M/s.D.Venkatesh,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Bail in Crime No.262 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(Crl. Side) appearing for the respondent.

2.The petitioner is in custody since 11.01.2020 for the offences punishable under sections 294(b), 324 and 506(ii) of I.P.C., @ 302 of IPC., in Crime No.262 of 2019 on the file of the respondent police. He seeks bail.

3.The deceased in this case is none other than the second husband of his mother. The petitioner's father had passed away long back and the petitioner's mother married the deceased. The deceased appears to have been a drunkard. He used to pick up a quarrel on a regular basis. Unable to stand the same, the petitioner and his brother are said to have attacked the victim with a wooden log.



4. Since it appears to be a case of sustained provocation, I am of the view that the petitioner can be granted relief. Hence, bail is granted.

5. 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 is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
14/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, ODDANCHATRAM.
2. THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
3. THE INSPECTOR OF POLICE,
CHATRAPATTI POLICE STATION,
DINDIGUL DISTRICT.
4. THE OFFICER INCHARGE
DISTRICT JAIL, DINDIGUL.
5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.3108

ORDER
IN
CRL OP(MD) No.2634 of 2020
Date :14/02/2020

TK/PN/SAR.2/14.02.2020/2P/7C

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