



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.3731 of 2020

Murugan ... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Sivagiri Police Station
Tenkasi District.
In Crime No.10 of 2020

... Respondent/Complainant

For Petitioner : M/s.A.Balaji,
Advocate.

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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

PRAYER :-

For Bail in crime No.10 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence punishable under Sections 341, 294(b) and 302 of IPC.

2. The case of the prosecution is that due to property dispute the petitioner has hit is father with wooden log causing death.

3. The learned counsel for the petitioner would submit that the petitioner is an epilepsy patient and due to his ailments he is not mentally fit and due to sudden provocation he hit his father,without any premeditation, unfortunately it caused death.

4. The learned Additional Public Prosecutor appearing for the State would submit that investigation is almost completed and final report is likely to be filed within two weeks.



5. Considering the overall facts and circumstances of the case, this Court is inclined to grant bail to the petitioner by imposing conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sivagiri;

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

[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 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].

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

sd/-
03/03/2020

/ TRUE COPY /

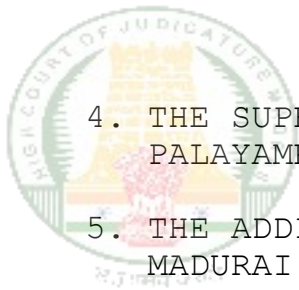
/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, SIVAGIRI.

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

3. THE INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION, TENKASI DISTRICT.



4. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI.

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

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+1 CC to M/s.A.BALAJI, Advocate (SR-4651[I] dated 03/03/2020)

ORDER

IN

CRL OP(MD) No.3731 of 2020

Date : 03/03/2020

MS/VR/SAR-4/03.03.2020/3P.7C