



WEB COPY

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

Date : 21/06/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8062 of 2021

Dharmar

... Petitioner/Accused

Vs

The State Rep. by
The Sub Inspector of Police,
Rayappanpatti Police Station,
Rayappanpatti,
Theni District.
Crime No.156 / 2021.

... Respondent/Complainant

For Petitioner : Mr.Vanjinathan G,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

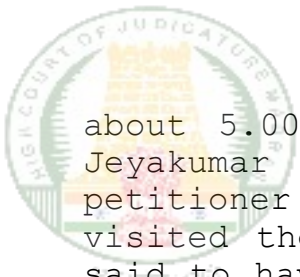
PRAYER :-

For Bail in Crime No.156 of 2021 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested on 08.04.2021 for the offences punishable under Sections 294(b) and 302 of IPC in Crime No.156 of 2021 on the file of the respondent police, seeks bail.

2. The deceased is the son of the petitioner herein. The case of the prosecution is that there was a dispute between the petitioner and the deceased with regard to settling of property in the name of the petitioner/accused. The deceased used to pick up quarrel with the petitioner herein under the influence of alcohol and asked him to settle the property in his name. On 08.04.2021 at



about 5.00 am., the defacto complainant got information from one Jeyakumar over phone that her husband was attacked by the petitioner herein with aruval and admitted in the hospital. She visited the hospital and came to know that the petitioner herein said to have attacked her husband with aruval alleging that he will not settle the property in his name. As a result of injuries suffered he later succumbed to injuries. Hence the complaint

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 08.04.2021, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed the bail petition on the ground that the investigation is not yet completed.

5. It is a case of filicide. The father killed his own son and the motive for the murder is property dispute.

6. Taking note of the fact and circumstances of the case and also the fact that the substantial portion of the investigation might have been completed by this time and the fact that the petitioner is in judicial custody from 08.04.2021, this Court is inclined to grant bail to the petitioner

7. Accordingly, 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 Sessions Judge, Judicial Magistrate Court, Uthamapalayam and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate 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 am., 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



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

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sd/-
21/06/2021

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SESSIONS JUDGE, JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
5. THE OFFICER INCHARGE,
SUB JAIL,
THEKKAMPATTI, ANDIPATTI TALUK,
THENI DISTRICT.

ORDER
IN
CRL OP(MD) No.8062 of 2021
Date :21/06/2021

AAV
TE/JC/SAR-II : 21/06/2021 : 3P/6C