



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 19/08/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.11848 of 2021

Samuvel ... Petitioner/Sole Accused

Vs

The State rep.by,  
The Inspector of Police,  
Aravoimozhi Police Station,  
Kanyakumari District.  
Crime No.395 of 2021. ... Respondent/Complainant

For Petitioner : Mr.K.P.Narayanakumar,  
Advocate.  
For Respondent : Mr.T.Senthilkumar,  
Government Advocate (Crl.Side)

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

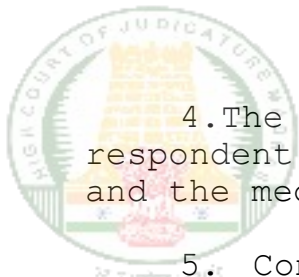
PRAYER :-For Bail in Crime No.395 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 22.06.2021, for the offences punishable under Sections 249(b), 324 and 506(ii) IPC altered into Sections 294(b), 324, 506(ii) and 302 of IPC, in Crime No.395 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased are friends and they used to consume liquor. On the date of occurrence, i.e. on 14.06.2021, the petitioner insisted the deceased to have liquor. But, the deceased refused the same, due to which, there was a wordy quarrel between them and the petitioner pushed the deceased down and consequent to that, he fell down and succumbed to the injuries.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has been falsely implicated in this case. Since the petitioner is languishing in jail from 22.06.2021, he seeks for grant of bail.



4.The learned Government Advocate(Crl.Side) appearing for the respondent submitted that most of the witnesses have been examined and the medical report is awaited.

5. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner, the period of incarceration and considering the fact that most of the witnesses have already been examined, this Court is inclined to grant bail to the petitioner.

6. 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 Judicial Magistrate, Boothapandi and on further conditions 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 a.m. until further orders.**

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

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

[f] 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]**.

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

sd/-  
19/08/2021

/ TRUE COPY /

/ /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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

1 THE JUDICIAL MAGISTRATE,  
BOOTHAPANDI.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE OFFICER INCHARGE,  
DISTRICT PRISON, NAGERCOIL.

4 THE INSPECTOR OF POLICE,  
ARAVOIMOZHI POLICE STATION,  
KANYAKUMARI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.11848 of 2021

Date :19/08/2021

OGY

MK/VR/SAR.III/19.08.2021/3P/6C