



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16.09.2021
PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.12466 of 2021

S.Bala @ Balaji

... Petitioner/Accused No.1

Vs

State rep. by,
The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.233 of 2021)

... Respondent/Complainant

For Petitioner : Mr.D.Raja Boopathy,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor (Crl.side)

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

PRAYER :-For Bail in Crime No.233 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 herein, who was arrested on 03.08.2021 for the alleged offence under Sections 109 & 302 of I.P.C, in Crime No.233 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant and the petitioner are close relatives and they are all residing in the same locality. Due to previous civil dispute between the families, the petitioner has attacked the defacto complainant's mother namely Meenakshi with aruval on her neck, shoulders and hands, due to which, she died. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is aged about 20 years and he is an innocent. The co-accused in this case has been granted anticipatory bail by this Court in Crl.O.P.(MD).No.11419 of 2021.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the substantial portion of investigation is over.



5.Considering the facts and circumstances of the case, the nature of allegations against the petitioner and the fact that co-accused in this case has been granted anticipatory bail and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

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6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai 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 stay at Palladam and report before the Inspector of Police, Palladam Police Station, daily at 10.30 a.m. until further orders.

[c] 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/-

16/09/2021

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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 JUDICIAL MAGISTRATE COURT,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION, SIVAGANGAI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, MUTHUKULATHUR,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
PALLADAM.

+1 CC to MR.D.RAJABOOPATHY, Advocate (SR-6309[I] dated 16/09/2021)

ORDER

IN

CRL OP(MD) No.12466 of 2021

Date :16/09/2021

TM

MK/VR/SAR.IV/16.09.2021/3P/8C