



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01.02.2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.829 of 2022

S.Jegatheeswari

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Thiruppalaikudi Police Station,
Ramnad District.
(Crime NO.202 of 2021)

... Respondent/Complainant

For Petitioner : Mr.H.SHAHUL HAMMED
Advocate.

For Respondent : Mr.SS.MADHAVAN
Government Advocate

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

PRAYER :- For Bail in Crime No.202 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to the judicial custody on 18.11.2021 for the alleged offence under Sections 294(b), 323, 324, 506(ii) of IPC @ 294(b), 324, 323, 506(ii) & 302 of IPC, in Crime No.202 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the wife of the deceased. The Petitioner have a illegal intimacy with the deceased. Due to which, the petitioner along with other accused said to have assaulted the deceased with wooden log and he succumbed to the severe head injury. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the this Court has granted bail to the co-accused in Crl.O.P.(MD).No.20391 of 2021 dated 03.01.2022 and also submitted that the petitioner is in judicial custody from 18.11.2021.

4.The learned Government Advocate(Crl.Side) submitted that blood was clotted in the head region of the deceased. Only because of that, the death occurred. Hence, he opposed to grant bail to the petitioner.



5.Considering the period of custody of this petitioner and by this time, most of the investigation might have been over since the co-accused were granted bail, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 No.I, Ramanathapuram, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

01/02/2022

/ TRUE COPY /

01/02/2022

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 NO.I, RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT PRISON
RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE,
THIRUPPALAIKUDI POLICE STATION,
RAMNAD DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDE

IN

CRL OP(MD) No.829 of 2022

Date :01/02/2022

SA/VR/SAR.3/01.02.2022/2P/6C