



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

Date : 19/05/2022

PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD).No.9596 of 2022

Perumal

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Vikkiramangalam Police Station,
Madurai District.
(Cr.No.30 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.P.Vijay Nivas,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

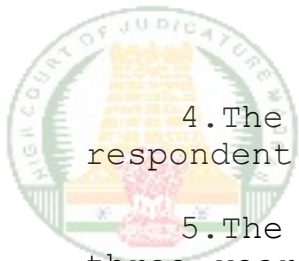
PRAYER :- For Bail in Crime No.30 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded judicial custody on 12.03.2022 for the offences punishable under Sections 294(b) and 307 of IPC and @ into Sections 294(b) and 302 of IPC, in Crime No.30 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the marriage between the petitioner and the deceased solemnized nine years back and they were blessed two little children. While so, the petitioner doubted the fidelity of the deceased, due to which, there was wordy altercation between them. On 11.03.2022 at about 5.30 p.m., the petitioner came to the parents' house of the deceased and used filthy language against her and attacked her with stone and she has sustained severe injuries. Though she was taken to the hospital, she succumbed to injuries. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner had no intention to kill his wife since they have two children and due to sudden provocation, he took a stone and attacked her due to which she died.



4.The learned Additional Public Prosecutor appearing for the respondent submits that investigation is almost completed.

5.The petitioner is having two children aged about five and three years and both of them need at least their father's love and investigation has been almost completed with regard to this petitioner and the petitioner is in custody from 12.03.2022.

6.Considering all these aspects and particularly, the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. 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 No.II, Usilampatti, Madurai District.

(i)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;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

sd/-
19/05/2022

/ TRUE COPY /

19/05/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI, MADURAI DISTRICT.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.mca.gov.in/hcs/Pass/MS-2019-01-01> DISTRICT.



3. THE INSPECTOR OF POLICE,
VIKKIRAMANGALAM POLICE STATION,
MADURAI DISTRICT.

4. THE OFFICER-INCHARGE,
THENI DISTRICT PRISON, THEKKAMPATTI,
KANAVILLAKKU, THENI.

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

+1 CC to M/s.SP.VIJAY NIVAS, Advocate (SR-4844[I] dated
19/05/2022)

ORDER
IN
CRL OP(MD) No.9596 of 2022
Date :19/05/2022

VSD
USK/JM/SAR-II/19.05.2022/3P/7C