



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

Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.9828 of 2022

Rajalingam

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Chinthamani Patti Police Station,
Karur District.
Crime No. 51 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sivaram J,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.51 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 15.10.2021 for the alleged offence under Section 302 of IPC, in Crime No.51 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the daughter of the deceased. The deceased person living separately in the place of occurrence on her own. On 27.03.2022, at about 09.30 a.m, the defacto complainant and her son came to the residence of the deceased for taking her to the temple. At that time, the door was found locked. After breaking out the door, they entered into house and found that the deceased was lying with injuries. Based on the complaint lodged by the defacto complainant, case in Crime NO.51 of 2022 was registered for the offence under section 302 of IPC. During the course of investigation, it was found that the petitioner was involved in the above said occurrence. Hence, he was arrested.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) submitted that the deceased is aged about 63 years and the petitioner is aged about 75 years. There was illegal intimacy between the deceased and the petitioner. on 26.03.2022, the petitioner said to have assaulted the deceased with the wooden log and caused severe injury and escaped from the place of occurrence.

5.Reading of the confession statement of the petitioner shows that there was a sudden quarrel over a petty issue. Over which, on 26.03.2022, the petitioner said to have assaulted the deceased with the wooden log and caused severe injury. But, without intimating the same to anyone, he escaped from the place of occurrence.

6.Considering the period of incarceration and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.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, Kulithalai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
28/06/2022

/ TRUE COPY /

28/06/2022
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,

<https://hcservices.courtsofmadras.org/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
CHINTHAMANI PATTI POLICE STATION,
KARUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9828 of 2022
Date :28/06/2022

dss
USK/VR/SAR-II/28.06.2022/3P/6C