



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

Date : 02/06/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9840 of 2022

Selvam @ Vetriselvam

... Petitioner/Accused No.5

Vs

The State rep.by,
The Inspector of Police,
Thiruchuli Police Station,
Sivakasi Taluk,
Virudhunagar District.
Crime No.48 of 2022.

... Respondent/Complainant

For Petitioner : Mr.J.Sulthan Basha,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

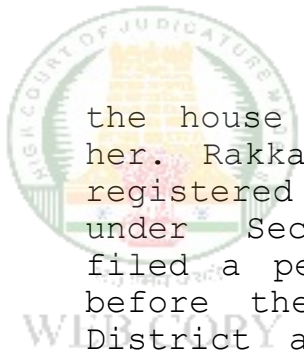
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.48 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.5, who was arrested and remanded to judicial custody on 14.03.2022 for the offences punishable under Sections 143, 294(b), 302 and 114 I.P.C in Crime No.48 of 2022, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that due to some family dispute, Moorthy and his wife were living separately and the family members of Moorthy were under the impression that the defacto complainant's sister Rakkammal was the reason for their separation. On 12.03.2022, Moorthy called his wife through phone and told her that he is going to murder her aunt-Rakkamal, who was the cause of the separation and on that day, at about 6.15 pm., at the residence of the petitioner, Moorthy, Lakshmi, Sabari and Selvam, Moorthy went to



the house of Rakkammal with Aruval and indiscriminately attached her. Rakkammal died on the way to the hospital. A case was registered against the petitioner and others in Crime No.48 of 2022, under Sections 143, 294(b), 302 and 114 I.P.C . The petitioner filed a petition for bail in Crl.M.P.Nos.1167 and 1170 of 2022, before the Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur. That petition was dismissed by the Sessions Judge. Hence, the petitioner has filed this petition.

3. On the side of the petitioner it is stated that the petitioner is A5 in the case and he is no way connected in the case. It is stated that the petitioner is in custody for the past 80 days. There is no overt act against the petitioner and prayed the petitioner to be released on bail.

4. On the side of the prosecution, it is stated that the petitioner is the brother of the first accused, he was present in the scene of occurrence. Charge sheet was already filed, but not taken on file so far.

5. Considering the facts and circumstances of the case and also considering the overt act against the petitioner and considering the period of incarceration, this Court is inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on his 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, Thiruchuli, and on further condition that the petitioner shall reside at **Thanjavur District** and report before the **Thanjavur Town Police Station** daily twice ie. at 10.00 a.m. and 05.00 p.m., until further orders. The petitioner shall not to enter in **Virudhunagar District**.

sd/-
02/06/2022

/ TRUE COPY /

02/06/2022
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, THIRUCHULI
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE INSPECTOR OF POLICE
THIRUCHULI POLICE STATION, SIVAKASI TALUK,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
THANJAVUR TOWN POLICE STATION,
THANJAVUR DISTRICT.

ORDER

IN

CRL OP(MD) No.9840 of 2022

Date :02/06/2022

Ls

MK/SVR/SAR.III/02.06.2022/3P/7C