



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

Date : 23/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10987 of 2022

1. Nethaji
2. Ajith kumar

... Petitioner/Accused No.1&2

Vs

The State Rep. By,
The Inspector of Police,
Odaipatti Police Station,
Theni District.
(Crime No.67 of 2022)

... Respondent/Complainant

For Petitioners : M/s.Mohideen Bashan
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

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

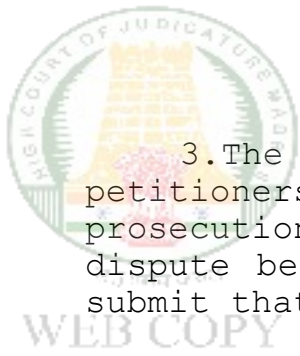
PRAYER :-

For Bail in Cr.No.67 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested on 18.04.2022 for the alleged offence under Sections 294(b), 307, 506(ii) of IPC @ 294 (b), 323, 302, 506(ii) of IPC and r/w 34 of IPC, in Crime No.67 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 13.04.2022, the accused persons were shaking the decoration lights, which were put up near the defacto complainant's house and the same caused current fluctuation in the defacto complainant's house. When the same was questioned by the defacto complainant's husband/deceased, the accused persons abused the deceased and pushed him to a stone. As a result of which, the deceased sustained grievous injuries and admitted in the hospital and thereafter, he died on 17.04.2022. Hence, the complaint.



3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that there is no previous dispute between the deceased and the petitioners. He would further submit that the petitioners are in judicial custody from 18.04.2022.

4.The learned Additional Public Prosecutor submitted that due to sudden wordy quarrel, the occurrence occurred and no weapon was used in the said occurrence. He would further submit that no previous case is pending against this petitioners and also submitted that the major part of the investigation has been completed.

5.Considering the facts and circumstances of this case, most of the investigation might have been over and considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Uthamapalayam, Theni District and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
23/06/2022

/ TRUE COPY /

23/06/2022
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,
UTHAMAPALAYAM, THENI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.



3. THE INSPECTOR OF POLICE,
ODAIPATTI POLICE STATION,
THENI DISTRICT.

4. THE OFFICER-INCHARGE,
DISTRICT JAIL, THENI.

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

+1 CC to M/s.N.MOHIDEEN BASHA, Advocate (SR-6020[I] dated
23/06/2022)

ORDER
IN
CRL OP(MD) No.10987 of 2022
Date :23/06/2022

tta
USK/PN/SAR-IV/23.06.2022/3P/7C