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CRL OP(MD). A



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11081 of 2022

Balu

... Petitioner/Sole Accused

Vs.

The State rep.by
The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.59 of 2022).

... Respondent/Complainant

For Petitioner : Mr.K.RAJESHWARAN
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.59 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 09.04.2022 for the alleged offences under Sections 294(b), 307 and 302 of IPC, in Crime No.59 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant's daughter namely Selvi got married the petitioner and the petitioner is addicted to liquor, for which, continuous quarrel arose between them and she went to parental home. On 08.04.2022 at about 12.15 a.m., the petitioner went to the defacto complainant home and demanded his wife to return back to matrimonial home. At that time, a wordy quarrel arose between them and the petitioner attacked his wife with knife and the defacto complainant and his husband prevented him and he also attacked him with knife in various parts of the body. As a result of which, the defacto complainant's husband died. Hence, the complaint.

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. He would further submit that the petitioner is in judicial custody from 09.04.2022.



4.The learned Government Advocate submitted that the because of the said incident, one person died and one person was severely injured. He would further submit that the investigation has been completed and the final report was also made ready.

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5.Considering the facts and circumstances of this case, most of the investigation is over and also the fact that within two days the petitioner is entitled to statutory bail, and considering the period of incarceration, 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, Devakottai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

06/07/2022

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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, DEVAKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION, SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.RAJESHWARAN.K Advocate SR.No.6630

ORDER IN

CRL OP(MD) No.11081 of 2022

Date :06/07/2022

SA/VR/SAR.4/06.07.2022/2P/7C

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