



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/07/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12831 of 2022

Kanthavelsamy

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Eppoduvendran Police Station,
Thoothukudi District.
Crime.No.55/2022.

... Respondent/Complainant

For Petitioner : M/s.ASHOK.S,
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.55 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4 herein, who was arrested on 25.04.2022 for the alleged offence under Sections 341, 294(b), 324, 307, 506(ii) IPC, in Crime No.55 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the aunt of the defacto complainant bequeathed her properties to the defacto complainant and there was property dispute between the petitioner and the defcto complainant, over which, on 25.04.2022 at about 04.00PM, when he returned to his house, he was waylaid and assaulted by the accused. Hence, the case.

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. The detention against him was also revoked by the Board on 28.06.2022. The petitioner is in custody from 25.04.2022.

4.The learned Government Advocate (Crl.Side) submitted that there is no previous case against the petitioner. The investigation has been completed.



5. Considering the property dispute between close relatives, period of incarceration and the fact that the petitioner is not having any previous case, this Court is inclined to grant bail to the petitioner with stringent 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 District Munsif cum Judicial Magistrate, Vilathikulam, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

15/07/2022

/ TRUE COPY /

15/07/2022

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, VILATHIKULAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
EPPODUVENDRAN POLICE STATION, THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. ASHOK.S Advocate SR.No.7203

ORDER IN

CRL OP(MD) No.12831 of 2022
Date :15/07/2022

SA/VR/SAR.1/15.07.2022/2P/7C