



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27/07/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13168 of 2022

Subbu @ Subbaiah

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Poolangkurichi Police Station,
Sivagangai District.
Cr.No.10/2022.

... Respondent/Complainant

For Petitioner : M/s.ILAYARAJA.R,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

PRAYER :- For Bail in Cr.No.10/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 17.06.2022 for the alleged offences under Sections 324, 506(ii) of IPC @ 324, 506(ii) and 307 of IPC @ 324, 506(ii), 307 & 302 of IPC, in Crime No.10 of 2022 on the file of the respondent police, seeks bail.

2. The defacto complainant is the wife of the deceased. She lodged a complainant before the respondent police stating that on 15.06.2022, at about 9.00 p.m, her husband went to the shop in an intoxication mood for purchasing some articles and thereafter, she knows that the deceased was fell down in the road and sustained grievous injuries. The accused himself has stated that deceased demanded some articles without paying money and picked up a quarrel with him and also damaged his vehicle. Therefore, the petitioner attacked the deceased with wooden log and caused injuries to him. Thereafter, the deceased was admitted in the hospital and on 17.06.2022, the petitioner was arrested. On 21.07.2022, the deceased died in the hospital. 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 in a drunken mood, the deceased came to the petitioner's shop and also purchased some articles without paying money and also he damaged the petitioner's vehicle. As a result of which, sudden quarrel arose between them and the deceased fell down in the road and sustained injuries and thereafter died in the hospital. He would further submit that the petitioner is in judicial custody from 17.06.2022.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the no previous case is pending against this petitioner and because of the sudden quarrel, the occurrence occurred and also would submit that the major part of the investigating has been completed.

5. On perusal of postmortem report, it shows that the deceased sustained grievous injuries in his head and he died in the hospital. It is not a pre-planned murder and there is no previous enmity between the deceased and the petitioner and because of the sudden quarrel, the occurrence occurred.

6. 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 petitioner with certain 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, Thiruppathur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

27/07/2022

/ TRUE COPY /

27/07/2022

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 JUDICIAL MAGISTRATE
THIRUPPATHUR

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL,
RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE,
POOLANKURICHI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.ILAYARAJA.R Advocate SR.No.7713

ORDER

IN

CRL OP(MD) No.13168 of 2022

Date :27/07/2022

SA/VR/SAR.4/27.07.2022/3P/7C