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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/08/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13716 of 2022

Mohanraj

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.
Crime No.75 of 2022.

... Respondent/Complainant

For Petitioner : M/s.SARAVANAN.K,

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

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

PRAYER :- For Bail in Crime No.75 of 2022 on the file of the Respondent Police.

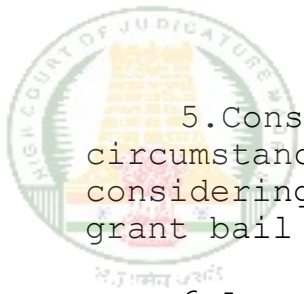
ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 12.06.2022 for the alleged offence under Sections 302 IPC, in Crime No.75 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner's son was mentally affected person, he used to take ganja and other narcotic drugs and for that, he was taking treatment at De-addiction Centre. In order to buy drugs, he tortured the petitioner to give money. On 11.06.2022, at about 11AM, the deceased caused trouble to the petitioner, over which, the petitioner assaulted him with wooden log and the deceased died at the spot. Hence, the case.

3.The learned counsel for the petitioner submitted that due to sudden provocation made by the deceased, the offence took place and it was not a pre planned murder.

4.The learned Additional Public Prosecutor submitted that as per Post Mortem Certificate, eleven injuries were found on the vital parts of the deceased. The deceased was taking treatment at De-addiction centre and frequently caused trouble to the petitioner, demanding money. Due to that only this occurrence took place.



5. Considering the facts and circumstances of the case and the circumstances in which, the occurrence took place and also considering the period of incarceration, 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, Athoor, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

05/08/2022

/ TRUE COPY /

05/08/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ATHOOR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
- 3 THE OFFICER INCHARGE, SUB-JAIL, DINDIGUL.
- 4 THE INSPECTOR OF POLICE,
CHINNALAPATTI POLICE STATION, DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SARAVANAN K Advocate SR.No.8241

ORDER

IN

CRL OP(MD) No.13716 of 2022
Date :05/08/2022

PNM

SA/VR/SAR.1/05.08.2022/2P/7C