



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

Date : 03/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20391 of 2021

1. Sethuramu
2. Balamurugan ... Petitioners/Accused No.2 & 4

Vs

State Rep.by
The Inspector of Police,
Thirupalakudi Police Station,
Ramnad District.
(Crime No.202 of 2021) ... Respondent/Complainant

For Petitioners: Mr.S.MP.Amalan,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

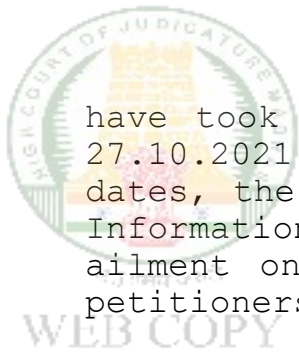
PRAYER :- For Bail in Crime No. 202 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A4 herein, who were arrested on 07.11.2021 and 05.11.2021 for the alleged offence under Sections 294(b), 324, 323, 506(ii) IPC @ 294(b), 324, 323, 506 (ii) and 302 of IPC, in Crime No.202 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that A1 is the wife of the first petitioner herein and the petitioners are also brothers. The defacto complainant is the wife of the deceased. Due to the illegal intimacy between A1 and the deceased, on 24.10.2021, the petitioners along with other accused said to have assaulted the deceased with wooden log and he succumbed to the severe head injury. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that the occurrence said to



have took place on 24.10.2021. He was admitted in the hospital on 27.10.2021. During the intervene period between the above said dates, the deceased was in good condition and even as per the First Information Report, there was no external injuries. Due to heard ailment only, he died on 05.11.2021. Hence, he seeks bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that blood was clotted in the head region of the deceased. Only because of that, the death occurred. Hence, he opposed to grant bail to the petitioners.

5.Considering the period of incarceration and also considering the fact that the main dispute between the deceased and the first accused and the petitioners are alleged to have close relatives of the first accused, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, 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 No.I, Ramanathapuram, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

03/01/2022

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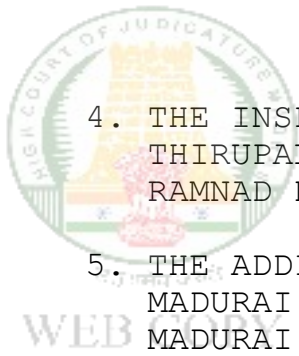
/ /2022

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 NO.I,
RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.



4. THE INSPECTOR OF POLICE,
THIRUPALAKUDI POLICE STATION,
RAMNAD DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20391 of 2021
Date :03/01/2022

DSS
MS/CN/SAR-2/03.01.2022/3P.6C