



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20747 of 2021

Surendar

... Petitioner/Accused No.1

Vs

The State Rep by
The Inspector of Police,
Thandikudi Police Station,
Dindigul District.
(Crime No. 218 of 2021).

... Respondent/Complainant

For Petitioner : Mr.Murugappan.R.,
Advocate.

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

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

PRAYER :-

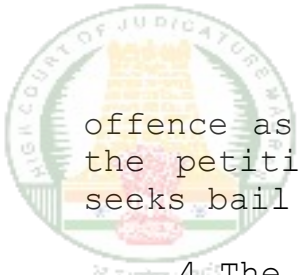
For Bail in Crime No. 218 of 2021 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on
18.10.2021 for the alleged offence under Sections 294(b), 324, 341
and 302 of IPC, in Crime No.218 of 2021, on the file of the
respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had love
affair with the sister-in-law of the deceased and the same was
objected by him. Due to that, trouble arose between the parties. On
14.10.2021, at about 10.30 p.m, the petitioner along with other
accused said to have attacked the deceased with wooden log and
stabbed him with knife and caused death. Hence, this complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is an innocent person and she has not committed any



offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 14.10.2021. Hence, he seeks bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that due to the love affair between one Keerthana, aged about 16 years, who is the sister-in-law of the deceased Manimaran, trouble arose between the parties. Only because of the assault made by the petitioner with knife upon the chest of the defacto complainant, the death was occurred. He would further submit that the major role has been played by the petitioner and the postmortem report has not been received so far. Hence, he opposed to grant bail to the petitioner.

5. But, however, the learned counsel for the petitioner would submit that there was no intention to murder the deceased. Because of sudden provocation, occurrence was took place and the co-accused namely, Murugan (A2) and Veeralakshmi (A3) have been granted bail by the learned Principal Sessions Judge, Dindigul, in Crl.MP.No.4101 of 2021, dated 14.12.2021.

6. Considering the period of incarceration and also considering the fact that the major portion of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with stringent 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 Court, Kodaikanal, Dindigul District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

Sd/-
03/01/2022

/ TRUE COPY /

/ /2022

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

dss

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

<https://hcservices.ecourts.gov.in/hcservices/>

1. THE JUDICIAL MAGISTRATE ,
KODAIKANAL, DINDIGUL DISTRICT.



2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.
4. THE INSPECTOR OF POLICE,
THANDIKUDI POLICE STATION,
DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.20747 of 2021
Date : 03/01/2022

VB/JM/SAR-II/03.01.2022/3P/6C