



CrI.O.P.No.28146 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.28146 of 2023

Manimudi @ Manimegalai

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Kolathur Police Station,
Salem District.

(Crime No.371 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.371 of
2023 on the file of the respondent police, on such terms and conditions.

For Petitioner : Mr.B.Vasudevan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI. Side)



CrI.O.P.No.28146 of 2023

WEB COPY

ORDER

The petitioner/accused seeks bail in Crime No.371 of 2023, registered by the respondent police for the offences punishable under Section 302 of IPC on 02.11.2023.

2.The deceased had earlier married another lady and they separated but however, the deceased was addicted to liquor and it is stated that he had come over in a drunken state and picked up quarrel with the petitioner herein. Even though there were efforts to mediate and settle the issues the deceased continuously picked quarrels. On 02.11.2023, probably frustrated with the attitude of the deceased, the petitioner is said to have hit him with iron rod and he had died.

3.Taking into consideration the sudden provocation which the petitioner should have suffered and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioner is ordered to be released on bail on



CrI.O.P.No.28146 of 2023

condition to execute a 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 Judicial Magistrate No.I, Mettur, and on further conditions that: -

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



CrI.O.P.No.28146 of 2023

himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

15.12.2023

ata



WEB COPY



CrI.O.P.No.28146 of 2023

To

1. The Judicial Magistrate No.I, Mettur.
2. The Sub Jail, Salem.
- 3.The Inspector of Police,
Kolathur Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



WEB COPY



Crl.O.P.No.28146 of 2023

ata

Crl.O.P.No.28146 of 2023

15.12.2023