



CRL OP(MD). No.13654 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26.07.2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13654 of 2023

Suriya

... Petitioner/Sole Accused

Vs

The State represented by,  
The Inspector of Police,  
Arimalam Police Station,  
Pudukottai District.  
(Crime No.83/2023).

... Respondent/Complainant

For Petitioner : M/s.T.PALANISAMY  
Advocate.

For Respondent : Mr.B.NAMBISELVAN  
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No. 83 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 17.06.2023 for the alleged offence under Sections 304(2) IPC, in Crime No.83 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the deceased in the husband of the defacto complainant. She in her complaint has stated that while her husband demanded money with her for purchasing liquor, her elder son, who is the petitioner herein, has attacked her husband with wooden log, due to which, he died on the spot. Hence, for taking action, this complaint has been filed.

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.

4.The learned Additional Public Prosecutor submitted that there is no previous case against the petitioner. Due sudden loss of temper, this incident happened.

5.Reading of the FIR shows that the deceased pressurised the mother of the petitioner for money. The petitioner is unable to bear the above said torture made upon her. Hence, he made assault upon him with wooden log. Due to which, he died on the spot itself.

6.Considering the period of incarceration and the fact that this incident was happened due to sudden loss of temper and since the petitioner is having no previous cases, 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



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of the learned Judicial Magistrate, Thirumayam, Pudukottai District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-  
26/07/2023

/ TRUE COPY /

26/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TM  
TO

1 THE JUDICIAL MAGISTRATE, THIRUMAYAM, PUDUKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKOTTAI.

4 THE INSPECTOR OF POLICE,  
ARIMALAM POLICE STATION, PUDUKOTTAI DISTRICT.

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

+1. CC to M/S PALANISAMY.T Advocate SR.No.11279 DT.26/07/2023

ORDER  
IN

CRL OP(MD) No.13654 of 2023  
Date :26/07/2023

SA/SAR. /26.07.2023/3P/7C  
Madurai Bench of Madras High Court is issuing  
certified copies in this format from 17/07/2023.