



CRL OP(MD). No.17262 of 2023

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

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.17262 of 2023

Raja

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Kannivadi Police Station,
Dindigul District,
Crime No.151/2023.

... Respondent/Complainant

For Petitioner : M/s.Navaneetharaja.K,
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.151/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 06.08.2023 for the alleged offence under Sections 294(b) & 304(ii) of IPC, in Crime No.151 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution as per the defacto complainant's version is that
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already there was a dispute between the petitioner's mother and one Saravanan. On the date of occurrence, the above said Saravanan sought help to the defacto complainant's husband to take him to hospital, since he was not well. Therefore, he helped him. After taking treatment, he dropped the above said Saravanan in his house. At that time, the petitioner, who is the husband of the petitioner's sister, came there and stated that he should not help Saravanan, who is the enemy of his mother. There quarrel arose between them. In which, the petitioner pushed down the deceased. Thereafter, the deceased went to his house and narrating the incident to the defacto complainant. He was taken to the hospital in his Village, but they were advised to take him to the Government Hospital, Dindigul, where, they were informed that the defacto complainant's husband was already dead. Hence, the complaint has been lodged against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. The petitioner is working in CRPF. Though there was a quarrel between them, the defacto complainant's husband went to his house in good health condition.



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4.The learned Additional Public Prosecutor submitted that there is no previous case against the petitioner. The deceased was having 9 severe injuries.

5.Reading of the FIR shows that absolutely, there was no motive on the part of the petitioner to cause death. There was sudden fight between them. In which, the deceased sustained head injury and succumbed. In view of the above and 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 Judicial Magistrate, Athur and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
27/09/2023

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27 /09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

WILKINSON

1. The Judicial Magistrate, Athur.

2. Do-Through The Chief Judicial Magistrate, Dindugal District.

3. The Superintendent, District Jail, Dindigul.

4. The Inspector of Police,
Kannivadi Police Station, Dindigul District,

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.NAVANEETHARAJA, Advocate (SR-14273[I] dated 27/09/2023)

ORDER

IN

CRL OP(MD) No.17262 of 2023

Date :27/09/2023

RK (27/09/2023) 4P / 7C

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