



CRL OP(MD). No.3130 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.3130 of 2024

D.Venkatesh

... Petitioner/ Accused

Vs

The Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam,
Thanjavur District.
Crime No.554 of 2023..

... Respondent/Complainant

For Petitioner : Mr.K.Bairavan,
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.554 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.3130 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner / Accused, who was arrested and remanded to judicial custody on 20.10.2023 for the alleged offence punishable under Sections 294(b), 324, 506(ii) IPC and subsequently altered into Sections 294(b), 302, 324 and 506(ii) IPC in Crime No.554 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that there was a matrimonial dispute between the petitioner and his wife. When the defacto complainant, who is the mother-in-law of the petitioner, questioned the same, wordy quarrel arose between them and the petitioner brutally attacked the father-in-law with wooden log and he sustained severe injuries and thereafter, he died. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that no previous case is pending against the petitioner and he would further submit that the petitioner is in judicial custody from 20.10.2023. He would further submit that the investigation has been completed and charge sheet is also filed before the concerned Court and hence, he prays for grant of bail.



CRL OP(MD). No.3130 of 2024

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that two previous cases are pending against the petitioner. He would further submit that the petitioner has brutally attacked the deceased and thereby, he lost his life. Hence, he vehemently opposed for grant of bail.

5. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate No.2, Kumbakonam, Thanjavur District 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;



CRL OP(MD). No.3130 of 2024

WEB COPY

(b) the petitioner is directed to appear before the respondent Police daily at 10.30 A.M. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
28/02/2024

/ TRUE COPY /

28/02/2024
Sub-Assistant Registrar (PA-I / AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. The Judicial Magistrate No.2, Kumbakonam, Thanjavur District

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.3130 of 2024

2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, District Jail, Pudukottai.
4. The Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.BAIRAVAN, Advocate (SR-2490[I] dated 28/02/2024)

ORDER
IN
CRL OP(MD) No.3130 of 2024
Date :28/02/2024

RK/SKN(28/02/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023