



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

Tuesday, the Twenty Ninth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18286 of 2015

NIRMAL JEYACHADRAN

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSEPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.413 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.AJAML KHAN for M/s.AJMAL ASSOCIATES Advocate
For Respondent : Government Advocate (Crl.Side)
For Intervenor : Mr.M.P.SENTHIL, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who is the first accused in Crime No.413 of 2015 for the offences punishable under Sections 498(A) and 302 IPC, on the file of the respondent Police, was arrested and remanded to judicial custody on 25.06.2015. He seeks bail.

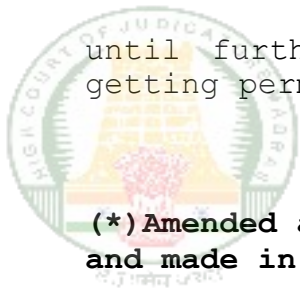
2.The case of the prosecution is that on 19.02.2007 the petitioner / 1st accused married the deceased and thereafter, she was harassed by the petitioner / 1st accused by demanding additional dowry and on 24.06.2015 the accused killed the deceased.

3.Mr.Ajmal Khan, learned Senior Counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely roped in this case. It is further submitted that even after a lapse of statutory period, the respondent has not laid charge sheet so far and therefore, as per Section 167(2), the petitioner is entitled for bail.

4.The learned counsel appearing for the intervenor vehemently opposed for granting bail to the petitioner / accused. He contended that the petitioner / accused has committed heinous crime and the two children of the deceased are left in larch and therefore, the petitioner / accused should not be released on bail.

5.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioner / accused was arrested on 25.06.2015 and charge sheet has not been filed so far.

6.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with <https://hdservices.south.gov.in/csewebsh> for a like sum to the satisfaction of the learned
(*)Judicial Magistrate No.I, Kulithurai and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m.,



until further orders and the petitioner shall not leave India without getting permission from this Court.

sd/-
29/09/2015

/ TRUE COPY /

**(*) Amended as per order dated.05.10.2015
and made in Crl.OP(MD)No.18286/2015**

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

(*) To be substituted order already despatched.

(*) 1 THE JUDICIAL MAGISTRATE No.I, KULITHURAI, KANYAKUMARI DISTRICT.

2 THE JUDICIAL MAGISTRATE, KANYAKUMARI DIVISION AT NAGERCOIL.

3 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE INSPECTOR OF POLICE, MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.58343

ORDER IN
CRL OP(MD) No.18286 of 2015
DATE : 29/09/2015

PBK/GSV-PM/SAR-II 30/09/2015 :: 2P-7C::

PBK/SK/SAR-II 05/10/2015 :: 2P-7C::