



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

Thursday, the Sixth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.14884 of 2015

1 DAVID PACKIYA BABU

2 PUSHPA RANJINI ... PETITIONER/ ACCUSED NO.2 & 3

Vs

STATE REP BY
INSPECTOR OF MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.413/2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADAIAKUMAR Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

For Intervener : MR.M.P.SENTHIL, Advocate

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

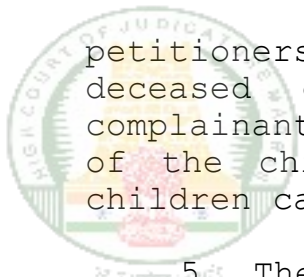
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 and A3 in Crime No.413 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 25.06.2015 for the alleged offences under Sections 498(A) and 302 IPC registered in Crime No.413 of 2015.

2. According to the de-facto complainant, namely Jameraj, his elder daughter was married to the first accused on 19.02.2007 and she was provided with 125 sovereigns of gold and cash of Rs.5,00,000/- and Sridhana articles worth about Rs.2,00,000/- as demanded by the accused and thereafter harassed for more dowry. On 20.06.2015, the first accused attacked his daughter with iron rod and caused to death at the instigation of the accused 2 and 3.

3.The learned Counsel appearing for the petitioners submits that the petitioners are senior citizens and the fatal injury was caused by third son A1. He further submits that the petitioners are ready to settle the property in favour of their grand children and they may be granted interim bail for a limited period.

4. The learned Counsel appearing for the intervenor vehemently opposed to grant bail to the petitioners contending that the



petitioners are the root cause for commission of offence and the deceased died leaving two minor children and the de-facto complainant and his wife are aged persons and nobody would take care of the children. He further submits that the interest of the children can be protected by settling the property of the accused.

5. The learned Government Advocate (Criminal side) appearing for the respondent submits that the occurrence took place on 24.06.2015 and the investigation is at initial stage and therefore, the petitioners are not entitled to get bail.

6. Heard the learned Counsel appearing for the petitioners and the learned Counsel appearing for the intervenor and the learned Government Advocate (Criminal side) appearing for the respondent.

7. However, Considering the submissions of the learned Counsel appearing for the petitioners and in order to protect the interest of minor children this Court is inclined to grant interim bail to the petitioners till 19.08.2015.

8. Accordingly, the petitioners are directed to be released on bail, on each of them 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 No.I, Kuzhithurai, and on further condition that the petitioners shall appear before the respondent police as and when required.

9. At the request of the learned Counsel appearing for the petitioners and the learned Counsel appearing for the intervenor the Registry is directed to post this matter before the Mediation and Conciliation Centre, on 12.08.2015. The parties are directed to appear before the Mediation Centre on 12.08.2015 without fail.

Post on 20.08.2015.

sd/-
06/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI

2. THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL.

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



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

5. THE SUPERINTENDENT CENTRAL PRISON, PALAYAMKOTTAI.

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6. THE SUPERINTENDENT SPECIAL PRISON FOR WOMEN, TIRUCHIRAPPALLI.

7. THE COORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT MADURAI.

+1. CC to M/S.A. THIRUVADA IKUMAR Advocate SR.No.44339

+1CC TO MR.M.P.SENTHIL, ADVOCATE SR NO.44366

ORDER

IN

CRL OP (MD) No.14884 of 2015

Date : 06/08/2015

rg.07/08/2015

3p/10c.