



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

Monday, the Eighteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.11240 of 2016

LINGESWARAN

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 261 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MUNIYANDI Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 28.05.2016 for the alleged offence punishable under Section 306 IPC, in Crime No.261 of 2015, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner and his parents demanded dowry from the de facto complainant/deceased for construction of their house and tortured her. On 06.11.2015, the deceased consumed poison and died on the same day. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has not demanded any dowry from the deceased. The occurrence tookplace on 06.11.2015. The petitioner is in judicial custody from 28.05.2016.

4.The learned Government Advocate (Crl. side) submitted that investigation has been completed and the respondent police are awaiting for Chemical Analysis Report.

5.Considering the facts and circumstances of the case and also considering the fact that the occurrence tookplace on 06.11.2015 and the petitioner is in judicial custody from 28.05.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of



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Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kamuthi.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) 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].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

18/07/2016

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

TO

1 THE JUDICIAL MAGISTRATE,
KAMUTHI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE
DISTRICT JAIL, RAMANATHAPURAM.

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

5 THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.

+1. CC to M/S S.MUNIYANDI Advocate SR.No.37220.

ORDER

IN

CRL OP(MD) No.11240 of 2016

Date :18/07/2016