



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

Monday, the Twenty Fifth day of January Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.1318 of 2016

SATHISKUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
AALIVALAM POLICE STATION,
AALIVALAM, THIRUVARUR DISTRICT.
CR NO. 1/2016.

... RESPONDENT/COMPLAINANT

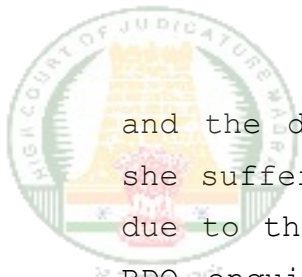
For Petitioner : M/S K.PRABAKARAN Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused sole accused, in Crime No.1 of 2016, on the file of the respondent police, was arrested and remanded to judicial custody on 04.01.2016 for the alleged offences punishable under Sections 174(3) @ 306 IPC and 3(ii) (iv) of SC/ST Amendment Ordinance 2015, and hence, seeks bail.

2. The case of the prosecution is that the marriage between the petitioner and the deceased was inter Caste marriage. The petitioner abused the deceased by her Caste name, due to that, she committed suicide. On complaint given by father of the deceased, a case has been registered under Sections 174(3) @ 306 IPC and 3(ii) (iv) of SC/ST Amendment Ordinance 2015.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the marriage between the petitioner and the deceased was inter Caste marriage and there is no proof that the petitioner abused his wife by citing her Caste name. It is further contended that both the petitioner and the deceased were living happily for past four years



and the deceased after four years of marriage, became pregnant and she suffered abortion before three months of the date of occurrence, due to that, she was in depression and committed suicide and in the RDO enquiry also no case made against the petitioner. Hence, he prays for granting anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner abused the deceased wife by citing her Caste name, due to that, she committed suicide and after the RDO report case has been altered and the investigation is pending.

5.Considering the nature of charges levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions. 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, Thiruthuraipoondi and on further condition that the petitioner shall appear before the respondent Police 10.00 am until further orders.

sd/-
25/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUTHURAIPOONDI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, THIRUVARUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, AALIVALAM POLICE STATION,
AALIVALAM, THIRUVARUR DISTRICT.
- 5 THE OFFICER-IN-CHARGE, SUB-JAIL, THIRUTHURAIPOONDI.

+1. CC to M/S K.PRABAKARAN Advocate SR.No.4381

akm/25.01.2016/ 2p- 7c/AAL/MPA/SAR-II

ORDER
IN
CRL OP(MD) No.1318 of 2016
Date :25/01/2016