



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

Wednesday, the Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13751 of 2016

VEERAPPAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY INSPECTOR OF POLICE
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI.(CR.NO. 251/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KARTHIKEYA VENKITACHALAP Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

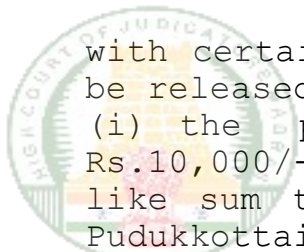
The petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 03.07.2016 for the alleged offence punishable under Section 174 Cr.P.C. @ Section 306 IPC, in Crime No.251 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased are husband and wife. The petitioner suspected the character of the deceased. Due to that, on 27.06.2016, she consumed rat poison and died. On complaint, a case has been registered for the above said offence.

3.The case of the petitioner is that both the petitioner and de facto complainant were living separately for the past 10 years. The deceased was working as a Village Assistant and she was residing with her parents. There is no nexus between the petitioner and cause of the death of the deceased, Kavitha. The petitioner came to know that the de facto complainant/father of the deceased questioned the character of the deceased and due to that she committed suicide. The petitioner is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 03.07.2016.

4.The learned Government Advocate (Crl. side) submitted that the petitioner suspected the character of the deceased and due to that she consumed rat poison and died. Investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner and deceased were living separately for the past 10 years, the deceased committed suicide in her parents house and the petitioner is in judicial custody from 03.07.2016, 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 Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pudukkottai.

(ii) the petitioner shall report before the respondent police daily at 10.00 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/-

03/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE INSPECTOR OF POLICE, GANESH NAGAR POLICE STATION,
PUDUKKOTTAI.
- 4 THE OFFICER INCHARGE DISTRICT PRISON, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.KARTHIKEYA VENKITACHALAPATHY Advocate SR.No. 41573
SMN

JA-AA-MPA-SAR.CO/03.08.2016/2P:7C

ORDERIN

CRL OP(MD) No.13751 of 2016

Date :03/08/2016