



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

Tuesday, the Thirtieth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15806 of 2016

SELVAKUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.
CR. NO. 244/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.NIRANJAN S.KUMAR Advocate

For Respondent : MR.K.KANNITHEVAN, 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 was arrested and remanded to judicial custody on 04.08.2016 for the alleged offences punishable under Section 174 of CR.P.C @ 306 of IPC, in Crime No.244 of 2016, on the file of the respondent Police and hence, seeks bail.

2.The case of the prosecution is that due to family dispute between the petitioner and the deceased, the deceased, who is the wife of the petitioner committed suicide. On complaint, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He has produced the typed set of paper enclosing the RDO report of the no dowry harassment and he further submitted that the petitioner is in judicial custody from 04.08.2016 and prays for enlarging the petitioner on bail.

4. The learned Government Advocate (Crl. Side) submitted that the investigation of the case is pending.



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5. Considering the report of the RDO stating that no dowry harassment and that the petitioner is in judicial custody from 04.08.2016, 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, Karaikudi, Sivagangai District.
- (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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 (Crl side), as to whether the petitioner is complying with the condition or not.

sd/-

30/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI, SIVAGANGAI DISTRICT.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
 - 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE OFFICER INCHARGE, SUB JAIL, PUDUKOTTAI.
 - 5 THE SUB INSPECTOR OF POLICE, KARAIKUDI SOUTH POLICE STATION, SIVAGANGAI DISTRICT.
- +1. CC to M/S. NIRANJAN S. KUMAR Advocate SR.No.48219.

ORDER

IN

CRL OP (MD) No.15806 of 2016

Date : 30/08/2016