



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

Tuesday, the Twentieth day of September Two Thousand Sixteen

PRESENT

**The Hon`ble Mr.Justice B.GOKULDAS**

CRL OP(MD) No.17639 of 2016

M.MURUGAN

... PETITIONER/SOLE ACCUSED

**Vs**

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
ARUPPUKOTTAI TALUK POLICE STATION,  
ARUPPUKOTTAI VIRUDHUNAGAR DISTRICT.  
CRIME NO.189 OF 2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.KHAN K.S.M.S.IBRAHIM, ADVOCATE

FOR RESPONDENT : Mr.A.P.BALASUBRAMANI, GOVERNMENT 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 07.07.2015 for the alleged offences punishable under Sections 304 B and 498(A) IPC, in Crime No.189 of 2015, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner is the husband of the defacto complainant and he demanded more dowry. Due to that, she committed suicide by pouring kerosene on her. On complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 07.07.2015.

4.The learned Government Advocate (Crl. side) submitted that trial has almost been completed.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 07.07.2015, 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  
<https://hcservices.ecourts.gov.in/hcservices/> RS.10,000/- (Rupees ten thousand only) with two  
sureties each for a like sum to the satisfaction



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of the learned District Munsif cum Judicial Magistrate, Aruppukottai.

(ii) the petitioner shall report before the said Court on all future hearings regularly.

(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/-  
20/09/2016

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
ARUPPUKOTTAI.
2. THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,  
ARUPPUKOTTAI TALUK POLICE STATION,  
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE SUPERINTENDENT,  
CENTRAL PRISON, VIRUDHUNAGAR.

+1. CC to M/S.KHAN K.S.M.S.IBRAHIM Advocate SR.No. 53532

ORDER IN  
CRL OP(MD) No.17639 of 2016  
Date :20/09/2016