



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.17772 of 2016

MURUGAVALLI

... PETITIONER/ACCUSED No.2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
BAZZAR POLICE STATION,
CR. NO.441/2016,
RAMANATHAPURAM DISTRICT.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : Mr.C.SUSIKUMAR, ADVOCATE

FOR RESPONDENT : Mr.A.P.BALASUBRAMANI, GOVERNMENT ADVOCATE (CRL.SIDE)

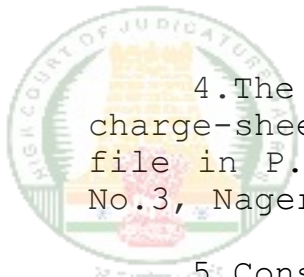
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.2, who was arrested and remanded to judicial custody on 23.07.2016 for the alleged offences punishable under Sections 498(A), 323 IPC and Section 4 of Dowry Prohibition Act and Section 4 of TNWH Act @ 498(A), 323, 306 IPC and Section 4 of DP Act and Section 4 of TNWH Act r/w 174(III) Cr.P.C, in Crime No.441 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the first accused married the deceased. Due to that, the petitioner's husband committed suicide. Subsequently, the petitioner as well as the first accused made a quarrel with the deceased and demanded dowry, for which, the deceased consumed poison. 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 she has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 23.07.2016.



4.The learned Government Advocate (Crl. side) submitted that charge-sheet has already been filed and the same has been taken on file in P.R.C.No.20 of 2016 before the learned Judicial Magistrate No.3, Nagercoil.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 23.07.2016, 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:-

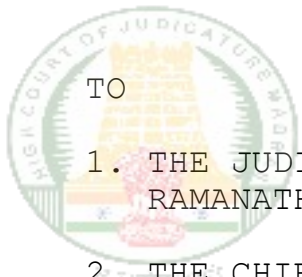
- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Ramanathapuram.
- (ii) the petitioner shall report before the respondent Police daily at 10.30 a.m., until further 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/-
20/09/2016

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.1,
RAMANATHAPURAM.
2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE INSPECTOR OF POLICE,
BAZZAR POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
5. THE OFFICER-IN-CHARGE,
SUB JAIL,
PARAMAKUDI.

+1. CC to M/S.M.SUBASH BABU Advocate SR.No. 53702

ORDER

IN

CRL OP (MD) No.17772 of 2016

Date :20/09/2016

PS

TE/SK-SKN/SAR-AE : 20/09/2016 : 3P/7C