



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

Wednesday, the Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20752 of 2016

VELU

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ERWADI DURGA POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR.NO.151/12016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.M.HASSANUL HAZARI Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner / A1, who was arrested on 28.09.2016 for the offences punishable under Section 306 IPC in Crime No.151 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased is the wife of the petitioner / A1. Due to wordy quarrel, on 28.09.2016, the deceased committed suicide by setting fire herself.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 28.09.2016 onwards.

4.Heard the learned Government Advocate(Crl. Side) on the above submission.

5.Considering the facts and circumstances of the case and taking note of the fact that the petitioner is in judicial custody from 28.09.2016 onwards, this Court is inclined to grant bail to the petitioner. 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 Judicial Magistrate No.II, Ramanathapuram;



(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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 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 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]**.

sd/-

09/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, ERWADI DURGA POLICE STATION,
RAMANATHAPURAM DISTRICT.

5 THE OFFICER-IN-CHARGE, DISTRICT PRISON, RAMANATHAPURAM.

+1. CC to M/S.J.M.HASSANUL HAZARI Advocate SR.No.66984

ORDER IN
CRL OP(MD) No.20752 of 2016
Date : 09/11/2016

PBK/SS-3/SAR-III 10/11/2016 ::2P-7C: