



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

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.6271 of 2017

SELVAM

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT,
CR NO. 476 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.SHANMUGASUNDARAM Advocate

For Respondent : MRS.S.PRABHA 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 08.04.2017, for the alleged offence punishable under Section 174 Cr.P.C. altered into Section 306 I.P.C., in Crime No.476 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 *de-facto* complainant's daughter deceased Revathy are husband and wife and due to dowry demand, the deceased has committed suicide by hanging. On complaint, a case has been registered for the abovesaid offences.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is in judicial custody from 08.04.2017.

4.It is submitted by the learned Government Advocate (Criminal side) that the investigation is almost completed and a charge sheet has already been filed in this case and the same is yet to be taken on file.

5. Considering the facts and circumstances of the case and considering the fact that the investigation is almost completed and a charge sheet has already been filed in this case and the same is yet to be taken on file and also considering the fact that the



petitioner was in judicial custody from 08.04.2017, 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, Thiruvaiyaru;
- (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]**.

sd/-
18/05/2017

/ TRUE COPY /

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

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TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU
- 2 THE CHIEF JUDICIAL MAGISTRATE
THANVAYUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE, THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S C.SHANMUGASUNDARAM Advocate SR.No.22453

GJM/KKR/SAR-1-22.5.17-2P-7C

ORDER
IN
CRL OP(MD) No.6271 of 2017
Date :18/05/2017