



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

Tuesday, the Twenty First day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15905 of 2017

RAJENDRAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.771/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.POORNACHANDRAN for M/S.A.KANNIAPPAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

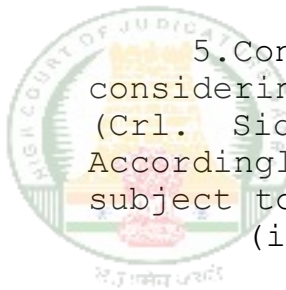
ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 18.09.2017 by the respondent police for the offences punishable under Section 174 Cr.P.C. @ 306 of I.P.C., in Crime No.771 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the husband of the deceased. On 15.09.2017, the petitioner in a drunkard mood came to house and quarrelled with his wife and thereby, his wife committed suicide. Initially, the case was registered for an offence under Section 174 Cr.P.C. and after the death of his wife, the case was altered into Section 306 of I.P.C.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that it is family dispute between the petitioner and the deceased/wife and the deceased/wife committed suicide without any motive. Since the petitioner is in judicial custody from 18.09.2017, he prays for bail.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that the petitioner is in judicial custody for a period of 67 days and he requested this Court to impose stringent condition against the petitioner. He further submitted that investigation has almost been completed.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl. Side), I am 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like-sum to the satisfaction of the learned Judicial Magistrate No.I, Sivakasi;
- (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 make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (v) the petitioner shall not commit any offence while on bail;
- (vi) 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 and the bail granted stands cancelled automatically.

sd/-

21/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 OFFICER IN CHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.KANNIAPPAN Advocate SR.No.34779

ORDER IN
CRL OP(MD) No.15905 of 2017
Date :21/11/2017