



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

Thursday, the Sixth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8444 of 2017

1 ANJALAI
2 R.KUMAR

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
PALANI TOWN POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.213 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.RAMASAMY Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

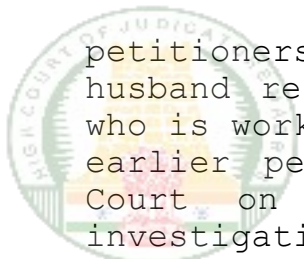
ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused nos. 1 and 2 were arrested and remanded to judicial custody on 18.05.2017 for the offences punishable under Sections 174 @ 406, 420, 506(i) and 306 of IPC in Crime No.213 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners have received a sum of Rs.4,05,000/- from the said deceased for arranging a loan, but, thereafter, they failed to arrange the loan and have not repaid the amount. Because of that, the accused were yet to have threatened the deceased. The deceased has committed suicide by hanging in fan leaving suicide note. In the said suicide note, the name of the petitioners herein is mentioned. Hence, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners states that no record is produced to show that the petitioners have received a sum of Rs.4,05,000/- from the said deceased, except the alleged suicide note, which is yet to be signed by the deceased. He would further state that the petitioners are an innocent person and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. Further, the petitioners are in judicial custody from 18.05.2017.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that there are totally two accused in this case, who are the petitioners herein. The



petitioners herein are arrayed as A1 and A2, who are the wife and husband respectively. The deceased in this case one Krishnamsamy, who is working as a Teacher. He would further submit that the earlier petition filed by the petitioners was dismissed by this Court on 23.06.2017 in CrI.O.P(MD).No.7331 of 2017 and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner are in judicial custody from 18.05.2017, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) Each of the petitioners 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, Palani.

(ii) the petitioners shall appear before the respondent police daily at 10.30 am until further orders.

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners 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/-

06/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
 - 3 OFFICER IN CHARGE, SUB JAIL, PALANI.
 - 4 OFFICER IN CHARGE, SUB JAIL, NILAKOTTAI.
 - 5 THE INSPECTOR OF POLICE,
PALANI TOWN POLICE STATION, DINDIGUL DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.RAMASAMY Advocate SR.No.25954

ORDER IN

CRL OP(MD) No.8444 of 2017

Date :06/07/2017