

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Twenty First day of April Two Thousand Seventeen
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.4863 of 2017

1 M.BALAMURUGAN
2 MUTHU

... PETITIONERS/ACCUSED NO.1&2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SALAIKIRAMAN POLICE STATION,
SIVAGANGAI DISTRICT
CRIME NO.22 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.P.SANKARAKUMARAKURUPARAN Advocate

For Respondent : MR.K.V.RAJARAJAN Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused 1 and 2 who were arrested and remanded to judicial custody on 03.03.2017 for the offences under Section 174 Cr.P.C altered into Section 306 IPC in Crime No.22 of 2017 on the file of the respondent/Police, seeks bail.

2.The petitioners are father and son who are the accused in the case of alleged dowry harassment.

3.The case of the prosecution is that one Sathya married to the 1st petitioner/1st accused found dead on 27.02.2017 alleged due to poisoning. Investigation reveals that the 1st petitioner who was employed in Singapore came just 12 days prior to the date of occurrence to join his family. But, there was a domestic quarrel between them. Hence, the grandmother of the deceased person was called for Panchayat on 27.02.2017. In the Panchayat, there was altercation. Thereafter, the grandmother who is the de facto complainant left the petitioners' house to her village. She received message about the death of his grand daughter Sathya and has given FIR to the Police Station about the occurrence.

4.While the Police has registered the case as suicide due to dowry harassment and the report of the Revenue Divisional Officer, Sivagangai, received on 20.03.2017 also suspects dowry harassment, the de facto complainant earlier filed intervening petition suspecting murder.

5.The learned Government Advocate (Criminal Side) submits that the investigation is completed and *prima facie* the investigation indicates suicide due to harassment. But, there is little material to indicate there was demand of dowry.

6.In the facts and circumstances of this case, 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 learned Judicial Magistrate, Ilayangudi.

(ii)The petitioner shall report before the Investigating Officer daily at 10.30 a.m. until completion of investigation.

(iii)The petitioner shall not tamper with the evidence or witnesses either during investigation or trial.

(iv)The petitioner shall not abscond either during investigation or trial.

sd/-
21/04/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ILAYANGUDI, SIVAGANGAI DISTRICT.

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI

3 THE INSPECTOR OF POLICE
SALAIKIRAMAN POLICE STATION,
SIVAGANGAI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

5 THE OFFICER INCHARGE,
SUB JAIL,
SIVAGANGAI

+1. CC to M/S.K.P.SANKARAKUMARAKURUPARAN Advocate SR.No.20860

ORDER IN
CRL OP(MD) No.4863 of 2017
Date :21/04/2017

AAM-PM PN/SAR 3/24.04.2017 2P 7c