

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19572 of 2018

DHAMODHARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
SENTHAMANGALAM POLICE STATION,
NAMAKKAL DISTRICT
CR.NO.210 OF 2018.

For Petitioner : M/S.S.SENTHIL Advocate

For Respondent : MR. C.IYYAPPARAJ, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested on 28.07.2018 for the offence under Section 306 IPC in Cr.No.210 of 2018 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased/ defacto complainant's daughter got married in the year 1995 and they were blessed with two children. There was a financial crises in the family due to which, the petitioner has scolded the deceased and got frustrated by the act of the petitioner, the deceased committed suicide by hanging herself in the matrimonial house.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence alleged by the prosecution and would further submit that it was purely a family dispute for which the deceased committed suicide.

4.The learned Additional Public Prosecutor submits that the investigation is still pending.

5.Considering the fact that the marriage between the petitioner and the deceased took place long back and also the fact that there is no specific overtact as against the petitioner, I am inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Namakkal and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
21/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned.

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.II
NAMAKKAL

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SENTHAMANGALAM POLICE STATION,
NAMAKKAL DISTRICT

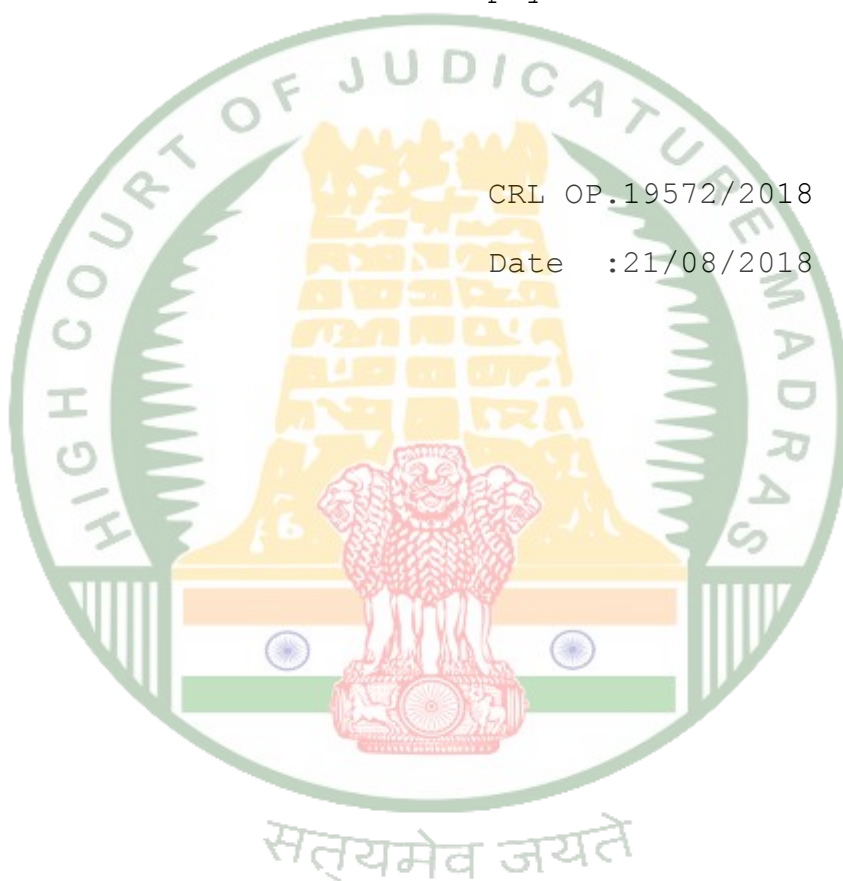
5 THE OFFICER INCHARGE
SUB - JAIL, NAMAKKAL

+1CC to M/S.S.SENTHIL Advocate on payment of necessary charges
SR.NO. 15693

CRL OP.19572/2018

Date :21/08/2018

CM 21/08/2018



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