



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

Thursday, the Twenty Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1167 of 2018

R. SASIKUMAR

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION, TRICHY DISTRICT.
CR.NO.539 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner :M/S.D.SHANMUGARAJA SETHUPATHI Advocate
For Respondent :MR.K.SUYAMBULINGA BHARATHI Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

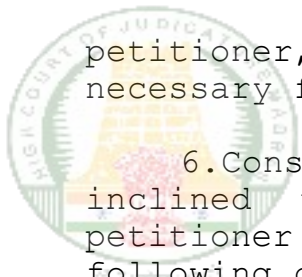
The petitioner / A1, who was arrested on 21.12.2017 for the offence punishable under Sections 498(A), 304(B) & 201 of Indian Penal Code, in Crime No.539 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with his parents, by demanding additional dowry and thereafter, murdered the deceased and hence, her parents given a complainant.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He also would submit that the defacto complainant has filed a false and frivolous complaint against the petitioner. Hence he prays for bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent submitted that part of investigation is completed.

5.The submissions made by the learned counsel on either side are considered. It seems that on 21.12.2017, the petitioner was remanded to judicial custody for the offences punishable under Sections 498(A), 304(B) & 201 of Indian Penal Code in Crime No. 539 of 2017. It is alleged that during the time of occurrence, the deceased, who is the wife of the petitioner, committed suicide for the reason that the petitioner and other accused in this case demanded more dowry. As of now, part of the investigation is completed. All the other accused were already released on bail in this case. Hence, considering the period of incarceration of the



petitioner, further custodial interrogation of the petitioner is not necessary for completing the investigation.

6. Considering the above facts and circumstances, 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:

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(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, Thuraiyur, Thiruchirappalli District.

(ii) the petitioner is directed to appear before the respondent police daily at 10.00 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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 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/-
25/01/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR, THIRUCHIRAPPALLI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUCHIRAPPALLI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SHANMUGARAJA SETHUPATHI Advocate SR.No.44183

ORDER IN
CRL OP(MD) No.1167 of 2018
Date :25/01/2018