



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

Thursday, the Nineteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5706 of 2018

1 B.HARISH
2 B.RANI

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SS COLONY POLICE STATION, MADURAI DISTRICT.
CR.NO.121/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.ANAND Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

For Intervenor : MR.T.VADIVELAN Advocate

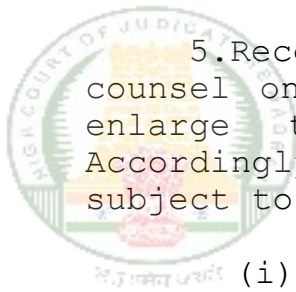
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The husband and the mother in law of the deceased are before this Court, seeking bail. The petitioners are arrayed as Accused Nos.1 and 2. The wife of the first petitioner committed suicide. They were arrested and remanded to judicial custody on 28.02.2018 in Crime No.121 of 2018 for the offences under Sections 174 (3) of Cr.P.C and later on altered into Section 304 (B) of I.P.C on the file of the respondent Police. They seek bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl side) appearing for the respondent.

4.The learned counsel appearing for the petitioner on instructions submitted that the first petitioner namely, the husband of the deceased shall pay a sum of Rs.10,000/- to Mr.Loganathan, father of the deceased for maintenance of the child in any one of his bank account. The said amount shall be remitted without any default before the 10th day of every month. If there is any default for a consecutive period of two months, the order granting bail in this case shall stand automatically cancelled for the first petitioner.



5. Recording the said undertaking given by the petitioners counsel on behalf of the petitioners, this Court is inclined to enlarge the petitioners on bail with certain conditions. 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 common sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai District.
- (ii) The petitioners shall appear before the respondent police as and when required for interrogation.
- (iii) The petitioners shall not abscond.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

sd/-
19/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI DISTRICT.
- 4 THE INSPECTOR OF POLICE
SS COLONY POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ANAND Advocate SR.No.6581
+1. CC to M/S.T.VADIVELAN Advocate SR.No.6610

ORDER IN
CRL OP(MD) No.5706 of 2018
Date :19/04/2018