



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.19235 of 2018

K.ARUMUGASAMY

... PETITIONER/ SOLE ACCUSED

Vs

THE STATE REP BY THE
THE INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.144 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.PON KARTHIKEYAN Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

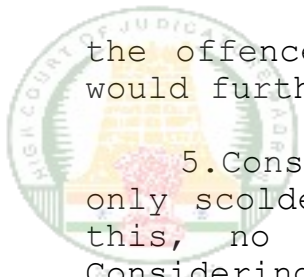
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 10.10.2018 for the offence punishable under Section 174 Cr.P.C @ Section 306 I.P.C. in Crime No.144 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner got married with the deceased in the month of January 2018. Already, the petitioner was a divorcee and begotten two children through his first marriage and the children are in the custody of the petitioner. On 07.04.2018, the deceased went to her mother's house and on 08.04.2018 the deceased informed her mother that the petitioner is frequently scolding her not to put Television and Fan. It is further alleged that on 08.04.2018, the deceased poured kerosene and set herself ablaze and committed suicide. Hence, the complaint.

3.The learned counsel for the petitioner would submit that even according to the case of the prosecution, the petitioner scolded the deceased not to put Television and Fan and he has not committed any offence as alleged by the prosecution. Further, he would submit that the petitioner was arrested and remanded to judicial custody on 10.10.2018. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the dying declaration report attracts



the offence under Section 306 I.P.C as against the petitioner. He would further submit that the investigation is pending.

5. Considering the nature of allegation that the petitioner is only scolded the deceased as not to put Television and Fan. Except this, no other allegation is made as against the petitioner. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, 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 No.I, Virudhunagar at Srivilliputhur.

(ii) the petitioner shall appear before respondent police as and when required for interrogation.

sd/-

29/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
VIRUDHUNAGAR.
4. THE INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.R.PON KARTHIKEYAN Advocate SR.No.20466

ORDER

IN

CRL OP(MD) No.19235 of 2018

Date :29/10/2018

MS/PN/SAR-1/29.10.2018/2P.7C

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