



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

Monday, the Ninth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.11417 of 2018

1 SUSEELA
2 SHANKAR
3 KAVITHA

... PETITIONERS/ ACCUSED NO.1,4 & 5
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PAPPANADU POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.66 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: MR.M.SIDDHARTHAN, Advocate
For Respondent : Mr.A.ROBINSON, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 20.06.2018 for the offences punishable under Section 306 IPC Crime No.66 of 2018 on the file of the respondent police. They seek bail.

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

3.The de facto complainant is the brother of the deceased. This Court is of the view that a aggrieved person can only be the wife of the deceased. Continuous incarceration of the petitioners is not at all warranted. Hence, 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) The petitioners 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 District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District.

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



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(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/-

09/07/2018

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN,
TRICHY.
4. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
5. THE INSPECTOR OF POLICE,
PAPPANADU POLICE STATION, THANJAVUR DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.M.SIDDHARTHAN Advocate SR.No.12518

ORDER

IN

CRL OP(MD) No.11417 of 2018

Date :09/07/2018

MS/VR/GSR/09.07.2018/2P.8C