



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

Tuesday, the Fourth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21424 of 2018

PRIYA

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
KANNIVADI POLICE STATION,
DINDIGUL DISTRICT.
IN CRIME NO.232 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.VADIVELAN, Advocate
For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

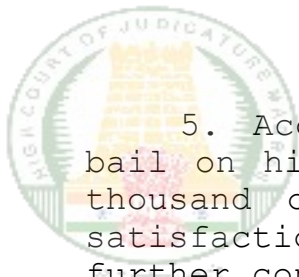
ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 22.10.2018 for the offence punishable under Section 306 of I.P.C., in Crime No.232 of 2018, on the file of the respondent police, seeks bail.

2. The learned Counsel for the petitioner would submit that the petitioner's daughter and the defacto complainant's elder son were working in Spinning Mill and they had developed some closings between them and on 13.01.2018 the petitioner's daughter did not turn-up the work. He would further submit that the deceased Arokiyadas aged about 19 years old got married with the daughter of the petitioner, namely, Sangeetha aged about 17 years old and on 31.08.2018 at about 12 noon, the petitioner along with her son went to the defacto complainant's house and fetched back the petitioner's daughter to her home and that the son of the defacto complainant consumed poison and passed away.

3. The Additional Public Prosecutor would submit that both of them are not marriageable age and that investigation is still pending.

4. 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.



5. 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 each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Dindigul and on further condition that:

[a] that the petitioner shall not abscond either during investigation or trial.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] 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]**.

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

04/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
 3. THE OFFICER INCHARGE, WOMEN PRISON,
NILAKOTTAI, DINDIGUL DISTRICT.
 4. THE SUB INSPECTOR OF POLICE,
KANNIVADI POLICE STATION, DINDIGUL DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.T.VADIVELAN Advocate SR.No.22636

ORDER

IN

CRL OP(MD) No.21424 of 2018

Date :04/12/2018

MS/PN/SAR-2/04.12.2018/2P.7C