



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

Wednesday, the Third day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.17185 of 2018

MOHAMED YASIN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.
(IN CR NO. 822 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.M.ARUMUGAM 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 12.09.2018, for the offences punishable under Section 306 of IPC, in Crime No.822 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner.

3.The case of the prosecution is that the petitioner got married with the daughter of the defacto complainant on 01.05.2016 in Dindigul. Out of the lawful wedlock, a boy was born and presently he is aged about 1 ½ years and living with the defacto complainant. They lived happily in Chennai nearly for a period of 2 years. One day, the deceased last the petitioner's sim card by misplacing it some where. Hence, there was quarrel between the petitioner and the deceased. Therefore, the deceased went her parents house and stay there. Further the deceased also suspected the petitioner as he has affair with another woman and as such there was quarrel between them. The deceased did not join with the petitioner so far. While being so, on 10.09.2015 at about 4.00 p.m. when the defacto complainant, the father of the deceased came to the knowledge that the deceased committed suicide by hanging herself. It was immediately informed to his son. Hence, the complaint.



4. The counsel for the petitioner would submit that there is no absolute dowry demand and no other allegations against the petitioner.

5. The learned Additional Public Prosecutor submitted that in this crime, there are two accused, the petitioner is the husband of the deceased and the petitioner in Crl.O.P.(MD).No.17188 of 2018 is the grand father of the husband of the deceased.

6. Admittedly, the deceased quarreled with the petitioner and left the matrimonial home before two months from the occurrence and on the fateful day, she committed suicide by hanging herself without any reason whatsoever. In fact, it was informed to the son of the defacto complainant who is working in the shop of the petitioner. Further, it would submit that the petitioner is incarceration from 12.09.2018. The petitioner in Crl.O.P.(MD).No.17188 of 2018 is the grand father of the petitioner and he is nothing to do with the crime as per the prosecution case.

7. Considering the above facts and circumstances and also considering the period of incarceration of the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioner are 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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Dindigul.

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

sd/-

03/10/2018

/ 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 INSPECTOR OF POLICE

<https://hcservices.ecourts.gov.in/hcservices/>
TOWN NORTH POLICE STATION, DINDIGUL DISTRICT.



4 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.M.ARUMUGAM Advocate SR.No.18807

ORDER
IN
CRL OP(MD) No.17185 of 2018
Date :03/10/2018

JM/PN/SAR 2/03.10.2018/3P/7C