



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.17188 of 2018

BASHEER MOHAMED

... PETITIONER / ACCUSED NO.2

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 ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Section 306 of IPC, in Crime No.822 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner in Crl.O.P.(MD).No.17185 of 2018 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 lost the her husband's sim card by misplacing it some where. Hence, there was quarrel between the deceased and her husband. Therefore, the deceased went her parents house and stay there. Further the deceased also suspected the her husband as he has affair with another woman and as such there was quarrel between them. The deceased did not join with her husband 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.



3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor.

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 in CrI.O.P.(MD). No.17185 of 2018 is the husband of the deceased and the petitioner herein is the grand father of the husband of the deceased.

6. Admittedly, the deceased quarreled with her husband/A1 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 A1. The petitioner is the grand father of A1 and he is nothing to do with the crime as per the prosecution case.

7. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Dindigul and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

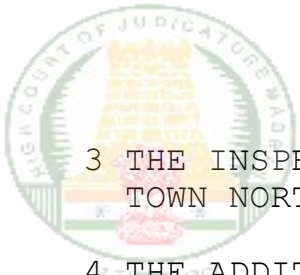
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03/10/2018

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.



3 THE INSPECTOR OF POLICE
TOWN NORTH POLICE STATION, DINDIGUL DISTRICT.

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

+1. CC to M/S.C.M.ARUMUGAM Advocate SR.No.18806

ORDER
IN
CRL OP(MD) No.17188 of 2018
Date :03/10/2018

JM/PN/SAR 2/03.10.2018/3P/6C