



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

Thursday, the Fourteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2344 of 2019

SARATHKUMAR

... PETITIONER / A-1

Vs

STATE REP. BY
THE SUB-INSPECTOR OF POLICE
VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT
(CR.NO.173/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.K.MANICKAM Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

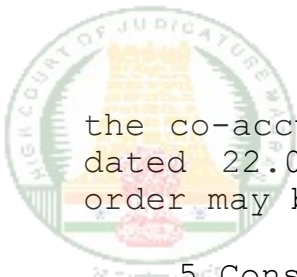
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 21.12.2018 for the offence punishable under Sections 174(3) Cr.P.C. @ 306 of IPC in Cr.No.173 of 2018 , on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the marriage was solemnized between the deceased and the petitioner one year back. After their marriage, after a few months, the petitioner tortured, humiliated and quarrelled with the deceased and A2 to A5 were also not condemned the activities of the petitioner. Hence, the deceased hanging herself in the matrimonial home due to the abetment of the petitioner and other accused persons. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The co-accused in this case was granted anticipatory bail by this Court. Accordingly, he prayed for bail.

4.The learned Additional Public Prosecutor would submit that the investigation is pending. He further submits that admittedly,



the co-accused was granted anticipatory bail by this Court by order dated 22.01.2019 in CrI.O.P.(MD).No.217 of 2019 and accordingly, order may be passed in this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused was granted anticipatory bail by this Court this Court is inclined to grant bail to the petitioner.

6. 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Nilakkottai, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily daily at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-

14/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
NILAKOTTAI, DINDIGUL DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT



3 THE SUB INSPECTOR OF POLICE
VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT.

4 THE OFFICER IN-CHARGE,
DISTRICT JAIL, DINDIGUL

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

+1. CC to MR.A.K.MANICKAM Advocate SR.No.3069

ORDER

IN

CRL OP (MD) No.2344 of 2019

Date :14/02/2019

MSI/VR/SAR-II/14.02.2019-3P/7C