



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

Monday, the Eighteenth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4011 of 2019

KARUPPAYEE

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.26/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.ARPUTHARAJ, Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

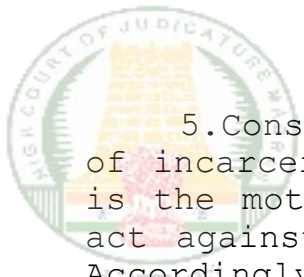
ORDER : The Court Made the following order :-

The petitioner who was arrested on 07.03.2019 for the offences under Sections 174 Cr.P.C @ 306 of IPC ,in Cr.No.26 of 2019, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 and the deceased are husband and wife. The marriage between the first accused and the defacto complainant's daughter was solemnized on 06.03.2019. Initially they have not demanded dowry. However after marriage they demanded five sovereigns of gold as dowry , hence there was frequent quarrel in between A1 and the defacto complainant's daughter. Thereafter unable to bear the torture, on 06.03.2019, the defacto complainant's daughter consumed poison , thereby the defacto complainant filed a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that it is purely a family dispute between the first accused and the defacto complainant's daughter and the petitioner is not responsible for that , he would pray for bail to the petitioner.

4.The learned Additional Public Prosecutor on instructions would submit that the petitioner herein is the mother-in-law and there is specific allegation against her with regard to demand of dowry. He would further submit that investigation is pending.



5. Considering the nature of the case and considering the period of incarceration and also considering the fact that the petitioner is the mother of the first accused and there is no specific overt act against her, I am inclined to grant bail to the petitioner. 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, Paramakudi and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the 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 as and when required for interrogation;

(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 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]**; and;

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

sd/-

18/03/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKUDI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE SUPERINTENDENT, CENTRAL PRISON FOR WOMEN,
MADURAI.
 4. THE INSPECTOR OF POLICE
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.SABBANI KARBURA JOTHI, Advocate, Sr No.5014

ORDER IN

CRL OP(MD) No.4011 of 2019

Date : 18/03/2019