



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

Date : 17/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7850 of 2019

Pasupathi @ Rajendran

... Petitioner/Accused

Vs

State Rep.by
The Sub Inspector of Police,,
Natham Police Station,
Dindigul District.
Crime No.21 of 2019

... Respondent/Complainant

For Petitioner : M/s.S.Sarvagan Prabhu,
Advocate.

For Respondent : V. Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For bail petition in cr.no.21 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused seeking bail for the alleged offence under Sections 174 Cr.P.C @ 306 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 27.04.2019 and he is in custody for the past 52 days. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the defacto complainant's daughter and the first accused loved each other, that the defacto complainant has arranged marriage between them, but, on the date of marriage, the accused refused to marry with the defacto complainant's daughter, afterwards he has arranged marriage with one Alagar and after the marriage, deceased came to the house of his father , the accused criminally intimidated her and due to that she committed suicide by hanging. He further



submitted that investigation is still pending. However he fairly conceded that no previous case is pending against the petitioner.

5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 52 days and also considering the fact that no previous case is pending against the petitioner and by this time major part of the investigation might have been completed this Court is inclined to grant bail to the petitioner by imposing conditions:

[a] 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 District Munsif cum Judicial Magistrate, Natham, Dindigul District.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m for a period of one month and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[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].

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

sd/-

17/06/2019

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
NATHAM, DINDIGUL DISTRICT.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE OFFICER INCHARGE, DINDIGUL DISTRICT PRISON, DINDIGUL DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION, DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.SARVAGAN PRABHU Advocate SR.No.9803

ORDER IN

CRL OP(MD) No.7850 of 2019

Date :17/06/2019