



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

Thursday, the Twentieth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8281 of 2019

BALAMURUGAN

... PETITIONER /SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KULITHALAI, KARUR DISTRICT.
CRIME NO.6 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.DEENADHAYALAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petition has been filed by the sole Accused seeking bail for the alleged offence punishable under Sections 294 (b), 494 & 498-A of IPC, in Crime No.6 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that as per FIR, the defacto complainant married the petitioner in the year 2013 and they have blessed with two children. From the date of marriage, the petitioner demanded 10 sovereigns of gold and further he assaulted the defacto complainant. Further, the defacto complainant alleged that the petitioner has married another woman. Hence, she lodged a complaint before the respondent police. He further submitted that based on the said complaint, the petitioner was arrested and remanded to judicial custody from 26.05.2019. He further submitted that by this time, investigation might have been completed and therefore, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that in the FIR, it is stated that the defacto complainant came to know about the second marriage of her



husband with one Ranjitha at later point of time, and further, it is stated that she was not present in the said occurrence. She further submitted that the investigation is still pending and hence, she opposed this petition.

5. Taking into consideration of the fact that the dispute arose between the husband and wife and also the fact that the petitioner is in custody for past 26 days and by this time, a portion 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 their executing 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.I, Kulithalai, Karur District.

[b] the petitioner shall report before the respondent police daily at 10.00.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 trial.

[d] the petitioner shall not tamper with evidence or witness 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].

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

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

sd/-
20/06/2019

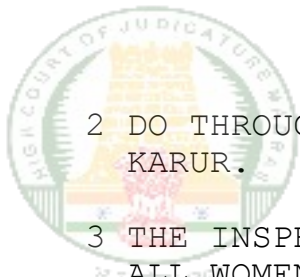
/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,

<https://hcservices.ecourts.gov.in/hcservices/>
KULITHALAI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KULITHALAI, KARUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, KULITHALAI.

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

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No. 10132

ORDER

IN

CRL OP(MD) No.8281 of 2019

Date :20/06/2019

JM/VR/SAR 1/20.06.2019/3P/7C