



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

Date : 10/01/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.407 of 2020

1.Dhanalakshmi
2.Sanjeevi Raj

... Petitioners/Accused
No.1 and 2

Vs

The State rep.by
The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District
Crime No.440 of 2019

... Respondent/Complainant

For Petitioners : M/s.A.Thiruvadi Kumar,
Advocate.

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

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

PRAYER :-

for Bail, Crime No.440 of 2019 on the file of the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners are in custody since 23.12.2109, for the offences under Section 302 of I.P.C., in Crime No.440 of 2019, on the file of the respondent police. Hence, they seek bail.

3. The deceased is none other than the husband of the first petitioner. The second petitioner is the brother of the first petitioner. It appears that on the occurrence date the deceased had come home heavily drunk and picked up quarrel with the first petitioner and when the first petitioner pushed him he fell down. That led to his death. The first petitioner is having a three year old child. The continued incarceration of the petitioners is not going to serve any purpose, hence, I am inclined to enlarge the



petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall execute 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 Judicial Magistrate No.II, Sathur.

(ii) the petitioners are directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
10/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, SATHUR.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4.THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.
- 5.THE INSPECTOR OF POLICE,
VEMBAKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 6.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.686

ORDER
IN
CRL OP(MD) No.407 of 2020
Date :10/01/2020

IAS
TK/VR/SAR.4/10.01.2020/2P/8C