



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

Date : 10/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.572 of 2020

1. Murugan,

2. Suresh, ... Petitioners/Accused Nos.1 & 2

Vs

State rep.by its,
The Inspector of Police,
Mandalamanickam Police Station,
Ramanathapuram District
Crime No.5/2019.

... Respondent/Complainant

For Petitioners : M/s.A.Uthayakumar, Advocate.

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

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

PRAYER :-

For Bail in Crime No.5 of 2019 on the file of the respondent police.

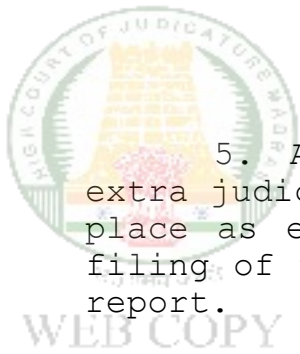
ORDER : The Court made the following order :-

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 09.12.2019, for the offences under Section 174 of Cr.P.C. @ into Section 302 of I.P.C., in Crime No.5 of 2019, on the file of the respondent police. Hence, they seek bail.

3. The case was originally registered under Section 174 of Cr.P.C., and later altered into Section 302 of I.P.C.

4. The prosecution case is that the first petitioner's daughter had eloped with her paramour and that is the reason for the occurrence. The defence case is that she committed suicide.



5. According to the prosecution, the petitioner has given extra judicial confession. It is seen that the occurrence had taken place as early as 23.01.2019. Even according to the prosecution, filing of the final report only awaits the reception of post mortum report.

6. Since the investigation appears to be substantially over, 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, Kamuthi, Ramanathapuram District.

(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,
KAMUTHI, RAMANATHAPURAM DISTRICT
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE
MANDALAMANICKAM POLICE STATION,
RAMANATHAPURAM DISTRICT



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

+1 CC to M/s.A.UTHAYA KUMAR, Advocate (SR-733 dated 10/01/2020)

ORDER

IN

CRL OP(MD) No.572 of 2020

Date :10/01/2020

IAS

ES/PN/SAR 4/10.01.2020/3P/7C