



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

Date : 19/06/2020

PRESENT

The Hon'ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.6439 of 2020

S.Velmurugan

... Petitioner/Accused No.1

Vs

The State rep. by  
The Inspector of Police,  
Sankaralingapuram Police Station,  
Thoothukudi District  
(Crime No. 36 of 2020).

... Respondent/Complainant

For Petitioner : M/s.C.Gangai Amaran,  
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

For Bail in Crime No. 36 of 2020 on the file of the respondent police

**ORDER :** The Court made the following order :-

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

2. The petitioner, who is A1 in Crime No.36 of 2020, on the file of the respondent Police, was arrested and remanded to Judicial Custody on 02.06.2020, for the offences punishable under Sections 176 and 306 IPC, seeks bail.

3. The case of the prosecution is that the petitioner has married one Mayadevi and due to some wordy quarrel between the petitioner and his wife, the said Mayadevi committed suicide and on conducting the enquiry, the de-facto complainant made complaint against the petitioner and his family members before the respondent police.



4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution. The learned Counsel appearing for the petitioner would also submit that the petitioner and his family members have falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 02.06.2020.

5. The learned Government Advocate (crl.side) appearing for the State, on instructions, would submit that due to the family dispute, the petitioner's and his family members prevented the victim from attending her sister's marriage and due to which, the victim has committed suicide by jumping into a well. He would further submit that there is no previous case is pending against the petitioner.

6. I have heard the learned counsel appearing on either side and perused the materials available on record.

7. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner, I am inclined to enlarge the petitioner on bail with certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on 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, Vilathikulam, Thoothukudi District.

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judge may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police for a period of two weeks daily at 10.30 am and thereafter, as and when required for interrogation.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

WEB COPY

sd/-  
19/06/2020

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,  
VILATHIKULAM.,  
THOOTHUKUDI DISTRICT.
- 2 DO THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER IN CHARGE,  
DISTRICT PRISON,  
THOOTHUKUDI.
- 4 THE INSPECTOR OF POLICE,  
SANKARALINGAPURAM POLICE STATION,  
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.6439 of 2020  
Date :19/06/2020

CMR  
SRS/ VR/ SAR-III/ 19.06.2020/ 3P/6C