



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.6780 of 2020

T.Karunanidhi ... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Ariyamangalam Police Station,
Trichy District.
(Crime No.281/2020).

... Respondent/Complainant

For Petitioner : M/s. B.Jameel Arasu,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 281/2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

2. The petitioner herein was arrested on 23.05.2020 for the alleged offence under Section 306 of IPC. The son of the petitioner herein has committed suicide after leaving suicide note implicating the petitioner herein.

3. From the First Information Report, it appears that there is a matrimonial discord between the deceased Prabhu and his wife Kamini. In this connection the petitioner and others have gone to the house of the deceased and also abused him. Unable to withdraw



4. The learned Additional Public Prosecutor would submit that investigation is under way and the petitioner's name is found in the suicide note. Hence he is not entitled for bail.

5. On going through the First Information Report and the submission made by the learned counsel for the petitioner and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Trichy

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/07/2020

/ TRUE COPY /

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO VI,
TRICHY.
- 2 -DO- THRO
THE CHIEF JUDICIAL MAGISTRATE,
TIRCHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION,
TRICHY DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON
TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6780 of 2020

Date :01/07/2020

PD/VR/SAR 3/01.07.2020/3P/6C