



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/07/2020

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PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP (MD) . No.7522 of 2020

Guruvanantham

... Petitioner/Sole Accused

Vs

The State rep. by
The Sub Inspector of Police,
Koomapatti Police Station,
Viruthunagar District
Crime No. 354 of 2020.

... Respondent/Complainant

For Petitioner : M/s.M.Jegadeesh Pandian,
Advocate.

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

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

PRAYER :-

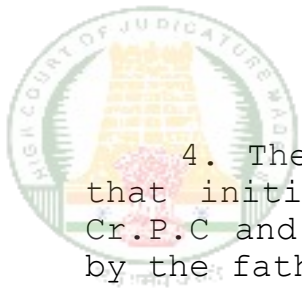
For Bail in Crime No. 354 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to judicial custody on 17.06.2020 for the alleged offences under Section 306 of IPC.

2. The defacto complainant is the father of the deceased and the petitioner herein is the husband of the deceased. The case of the prosecution is that the deceased developed illicit intimacy with one Muthu and when the same was questioned by the petitioner and the father of the deceased she committed suicide by hanging herself.

3. The learned counsel for the petitioner would submit that the petitioner is falsely implicated in the above case and he has nothing to do with the alleged occurrence. He would also submit that the deceased is the wife of the petitioner and due to some quarrel between the petitioner and the deceased she committed suicide by hanging. He would also submit that the petitioner is in jail for nearly 30 days, hence he may be granted bail.



4. The learned Government Advocate(Criminal Side) would submit that initially case registered for the offence under Section 174 Cr.P.C and later @ 306 of IPC, on the basis of the complaint given by the father of the deceased.

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5. Taking note of the above facts and circumstances of the case and also taking into consideration that major portion of the investigation is completed 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.I, Srivilliputhur, Virudhunagar.

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 as and when required for interrogation.

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 petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
17/07/2020

/ 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.

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TO

1. THE JUDICIAL MAGISTRATE NO I,
SRIVILLIPUTHUR,
VIRUDHUNAGAR.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
4. THE SUB INSPECTOR OF POLICE,
KOOMAPATTI POLICE STATION,
VIRUTHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7522 of 2020
Date :17/07/2020

AAV
SRS/ VR/ SAR-III/ 17.07.2020/ 3P/6C