



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

Date : 18/09/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9948 of 2020

Murugappan

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
Crime No.367/2020.

... Respondent/Complainant

For Petitioner : M/s.A.Arunprasad,
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 Cr.No.367 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner herein was arrested and remanded to judicial custody on 01.09.2020 for the alleged offence under Sections 143, 176, 201 of IPC r/w 51(b) of Disaster Management Act.

2. The case of the prosecution is that the petitioner herein is the father-in-law of the deceased. The allegation is that the deceased and A-1 got married and both are living happily. Thereafter, A-1 had illicit intimacy with another lady and the same was questioned by the deceased, due to which, there was a wordy quarrel between them on 19.08.2020, in which, the father of the deceased and relatives went to the house of A-1 and there was a compromise between the parties and he has also advised the deceased. Thereafter, in the midnight on 19.08.2020, the deceased said to have committed suicide. Based on the complainant given by her mother, the case has been registered.



3. The learned counsel for the petitioner would submit that the petitioner herein is the father-in-law of the deceased and there is no allegation of any abetment made by this petitioner. Only the allegation is that A-1 in this case, said to have some illegal intimacy with some other lady, due to which, there was a wordy quarrel between the husband and wife, in which, there was a compromise between the parties by the deceased father and it was compromised between them. Subsequently, she committed suicide.

4. The learned counsel appearing for the intervenor would submit that, A-1 said to have quarrelled with the deceased, on the information given by the deceased, the deceased father went to the house of A-1 along with his relatives and conducted mediation. Subsequently, on the very same day, despite the fact that A-1 and the deceased are living together and the petitioner's family did not take care of her, and abetted the deceased to commit suicide.

5. The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioner herein is the father -in-law of the deceased and all other accused said to have harassed the deceased and hence she committed suicide. He would also submit that co-accused in this case were granted anticipatory bail by this Court.

6. Taking note of the above facts and circumstances of the case and also taking note of the fact that the main allegations are levelled against A1 only and the petitioner herein is only the father -in-law of the deceased and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. 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, Thirumayam

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 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/-
18/09/2020

/ 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, THIRUMAYAM.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
THIRUMAYAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4.THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9948 of 2020
Date :18/09/2020

AAV
TK/JC/SAR.2/18.09.2020/3P/6C