



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.13475 of 2021

Dharuman

.. Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
Cr.No.209 of 2021.

.. Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in Cr.No.209 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.C.E. Pratap
Government Advocate (Criminal Side)

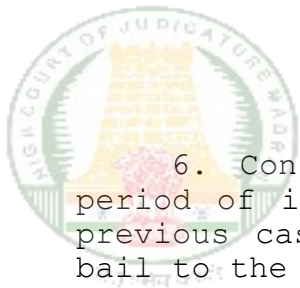
ORDER

The petitioner who was arrested on 10.07.2021 and remanded to judicial custody for the offence under Section 174(3) of Cr.P.C. subsequently altered into 306 of IPC, in Crime No.209 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner married the deceased and due to the wedlock no child was born to them. Thereafter, the petitioner demanded dowry from her, and driven her from matrimonial home, as a result of which she committed suicide by hanging and died. Hence, the complaint was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is nothing to do with the alleged offence as stated by the prosecution and he is in custody from 10.07.2021. Hence, the learned counsel prays to grant bail to the petitioner.

4. The learned Government Advocate (Cr1.Side) appearing for the respondent submitted that the petitioner has demanded dowry and cash of Rs.2 lakhs from the deceased and caused her death. He further submits that there is no previous case pending as against the petitioner. However, he vehemently opposed for the grant of bail to the petitioners.



6. Considering the facts and circumstances of the case, the period of incarceration suffered by the petitioner and there is no previous case pending against him, this Court is inclined to grant bail to the petitioner with following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his 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-I, Krishnagiri**, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to appear before the respondent police daily morning at 10.30 am until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

04/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KAVERIPATTINAM POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO.8154

CRL OP.13475/2021

Date :04/08/2021

TA-05/08/2021