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

Date : 21/05/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6906 of 2021

Prabhu ... Petitioner/Accused No.1
Vs

The Inspector of Police,
Siruganur Police Station,
Siruganur, Trichy District
Crime No.182 of 2021. ... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan,
Advocate.
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For bail in Crime No.182 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 is in custody from 20.03.2021 for the offences under Section 306 of I.P.C in Crime No.182 of 2021 on the file of the respondent police.

2.Heard both sides.

3.The case of the prosecution is that the petitioner is the husband of the deceased. Out of wedlock, they have blessed with three girl children. After marriage, the petitioner herein had illegal intimacy with A2 and A3 and demanded additional dowry and harassed the deceased. On 19.03.2021, the petitioner attacked the deceased with hands. Due to which, the deceased committed suicide. Hence the complaint.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has nothing to do with the alleged



offence and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody for more than 60 days and hence, he seeks bail.

5.The learned Additional Public Prosecutor appearing on behalf of the respondent police strongly opposed this petition on the ground that the offence is very serious and the investigation is pending.

6.Without going into the merits of the case and since the offence is punishable under Section 306 of I.P.C., with imprisonment upto 10 years, this Court is inclined to grant statutory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on the following conditions:

i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, for a like sum to the satisfaction of the Judicial Magistrate Court, Lalgudi, Trichy District.

ii) 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.

iii) The petitioner shall appear before the respondent police once in a week i.e on every Monday at 10.30 a.m until further orders.

iv) The petitioner shall not tamper with evidence or witness.

v) the petitioner shall not abscond either during investigation or trial.

vi)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]**.

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

sd/-
21/05/2021

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/ /2021
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,
LALGUDI, TRICHY DISTRICT.
2. -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
SIRUGANUR POLICE STATION,
SIRUGANUR, TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6906 of 2021
Date : 21/05/2021

sj i
AE/VR/SAR-IV/21.05.2021/3P/6C