



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18.08.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.11741 of 2021

Veeraragavan ... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District. ... Respondent/Complainant

For Petitioner : Mr.G.Thalaimutharasu, Advocate.
For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

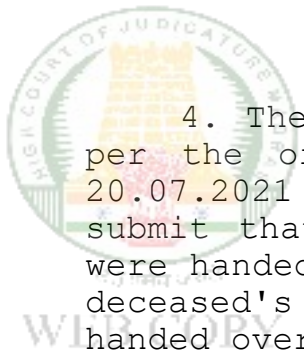
PRAYER :-For Bail in Crime No.328 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 20.07.2021 for the offence punishable under Section 174(3) of the Code of Criminal Procedure altered to Section 306 of IPC in Crime No.328 of 2021 on the file of the respondent police, seeks bail.

2. The petitioner/the first accused is the husband of the deceased Suja. The marriage between the petitioner and the deceased was solemnized in the year 2019 and they are also having a child out of the wedlock. After the marriage, the parents of the petitioner made a proposal for marriage of the deceased's sister with the brother of the petitioner and the parents of the deceased refused for the same. Thereafter, the deceased was harassed by the petitioner and his parents. Hence, the deceased committed suicide on 29.04.2021 leaving an e-mail message as a suicide note. In the suicide note, the deceased has expressed the manner in which she has been harassed by this petitioner and her in-laws.

3. When an application was moved by this petitioner along with other accused, in Crl.OP(MD)No.6637 of 2021, this Court granted interim anticipatory bail to the in-laws of the deceased by order dated 10.06.2021 and rejected the plea of this petitioner, with a direction to the petitioner to surrender before the Judicial Magistrate, Kovilpatti.



4. The learned counsel for the petitioner would submit that as per the order of this Court, the petitioner has surrendered on 20.07.2021 and he is in jail for the past 29 days. He would also submit that, on 10.08.2021, all the sreedhana articles and jewels were handed over to the parents of the deceased. Further, since the deceased's parents were not able to maintain the child, they have handed over the child to the petitioner.

5. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that investigation is yet to be completed.

6. Considering the subsequent developments and the period of incarceration, this Court is inclined to grant bail to the petitioner.

7. 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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with the evidence or witness 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 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]**.

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

sd/-
18/08/2021

/ TRUE COPY /

/ /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.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11741 of 2021
Date :18/08/2021

MBI
MK/VR/SAR.II/18.08.2021/3P/6C