



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

Date : 10/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.11049 and 11056 of 2021

1. Valarmathi
2. Nagavalli

... Petitioners /Accused No.2 & 3
in Crl.O.P.(MD)No.11049 of 2021

3. Murugesan

... Petitioner / Accused No.1
in Crl.O.P.(MD)No.11056 of 2021

Vs

State Rep.by
The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(Crime No.265 of 2021)

... Respondent/ Complainant
in both petitions

For Petitioners: Mr.K.Kumaravel,
Advocate in both petitions

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)
in both petitions

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

PRAYER :- For Bail in Crime No.265 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who were arrested on 23.07.2021 for
the offence under Section 174(3) of Cr.P.C. altered into Section 306
of IPC in Cr.No.265 of 2021 on the file of the respondent police,
seek bail.

2.The petitioners are accused Nos.1 to 3. A1 is the father-in-
law and A2 and A3 are sister-in-law and mother-in-law. The
deceased's husband was working in abroad. The deceased was having
some misunderstanding with the petitioners. Even according to the
prosecution, the deceased's husband had arranged separate house for
her. The petitioners have abused the deceased as if she had illegal
intimacy and she gave birth to a child through another person.



Therefore, the deceased had taken this extreme step and committed suicide.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) submitted that the investigation is yet to be completed.

5. Considering the nature of allegations levelled against these petitioners, the period of incarceration and also the fact that the deceased was living separately, this Court is inclined to grant bail to the petitioners.

6. Accordingly, these Criminal Original Petitions are allowed and the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Mudukulathur and on further conditions 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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]**.

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

sd/-
10/08/2021

/ 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.

TO

1. THE JUDICIAL MAGISTRATE, MUDUKULATHUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL JAIL (WOMEN), MADURAI.
4. THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
5. THE INSPECTOR OF POLICE,
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+2. CC to Mr.K.KUMARAVEL, Advocate SR.Nos.5268 & 5269

ORDER

IN

CRL OP (MD) Nos.11049 and 11056 of 2021

Date :10/08/2021

MSA

MS/VR/SAR-3/10.08.2021/3P.9C