



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.11735 of 2021

V.Selvi

... Petitioner/Accused No.8

Vs

The State rep.by
The Inspector of Police,
Vadipatti Police Station,
Madurai District.
Crime No.312 of 2021.

... Respondent/Complainant

For Petitioner : Mr.AR.JEYARHUTHRAN,
Advocate.

For Respondent : Mr.T.SENTHILKUMAR,
Government Advocate (Crl.Side)

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

PRAYER :-

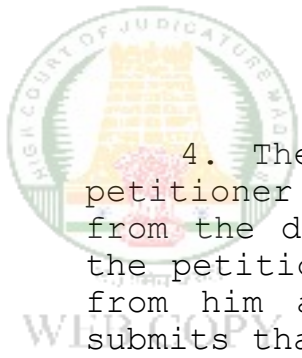
For bail in Crime No. 312 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested on 29.07.2021, for the offence punishable under Section 306 of IPC, in Crime No.312 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased borrowed money from the petitioner and other accused. On the date of occurrence, i.e. on 20.06.2021, the petitioner and other accused tortured the deceased demanding exorbitant interest from the deceased, due to which, he committed suicide by hanging.

3. The learned counsel for the petitioner submits that she has not indulged in any offence as alleged by the prosecution and the petitioner, being a woman and mother, has to take care of her younger son, who is suffering from mental disorders, after sustaining head injuries in an accident. Therefore, she seeks for grant of bail.



4. The learned Additional Public Prosecutor submits that the petitioner is implicated as A8 based on the suicide note recovered from the deceased. In the suicide note, the deceased claimed that the petitioner and other accused have collected exorbitant interest from him and thereby driven him to commit suicide. He further submits that the investigation is yet to be completed.

5. Though the petitioner was arrested on 29.07.2021, the respondent Police failed to collect any incriminating materials as against the petitioner so far. Therefore, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on her 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, Vadipatti, 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 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 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.



1.THE JUDICIAL MAGISTRATE
VADIPATTI.

2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3.THE OFFICER INCHARGE,
SUB JAIL, NILAKOTTAI.

4.THE SUPERINTENDENT OF POLICE,
K.PUDUR, MADURAI.

5.THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION,
MADURAI DISTRICT.

6.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.JEYARHUTHRAN.AR Advocate SR.No.5476

**ORDER
IN**

CRL OP(MD) No.11735 of 2021
Date :18/08/2021

SA/PN/SAR.2/18.08.2021/3P/8C