



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/09/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.13851 of 2021

Rajesh

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Adirampattinam Police Station
Thanjavur District
Crime No.673 of 2021

... Respondent/Complainant

For Petitioner : Mr.S.DEENADHAYALAN
Advocate.

For Respondent : Mr.T.SENTHILKUMAR,
Additional Public Prosecutor(crl.side)

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

PRAYER :-

For Bail in Crime No.673 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 26.08.2021 for the offence under Section 174 Cr.P.C @ Section 306 I.P.C, in Crime.No.673 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased is the wife of the petitioner. Due to the matrimonial dispute between themselves, the wife committed suicide by hanging. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is inside the prison from 26.08.2021 and hence, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the marriage between the



petitioner and the deceased had taken place in the year 2016 and due to their wedlock, two children were born to them. He would further submit that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner and the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai, Thanjavur District 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 appear before the respondent police daily at 10.30 am. until further orders.

[c] the petitioner shall not tamper with the 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 Judge/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 Judge/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/-

20/09/2021

/ 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
PATTUKKOTTAI, THANJAVUR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3.THE SUPERINTENDENT
CENTRAL PRISON, TIRUCHIRAPPALLI.

4.THE INSPECTOR OF POLICE,
ADIRAMPATTINAM POLICE STATION
THANJAVUR DISTRICT

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

+1. CC to Mr.S.DEENADHAYALAN, Advocate SR.No.6384

ORDER

IN

CRL OP(MD) No.13851 of 2021

Date :20/09/2021

SA/PN/SAR.2/20.09.2021/3P/7C