



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17483 of 2021

1. Selvam
2. Karuppaiye
3. Samporanam

... Petitioners/Accused Nos.4,2 & 3

Vs

The State rep.by,
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
In Crime No.314 of 2021.

... Respondent/Complainant

For Petitioners: Mr.S.Deenadhayalan,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

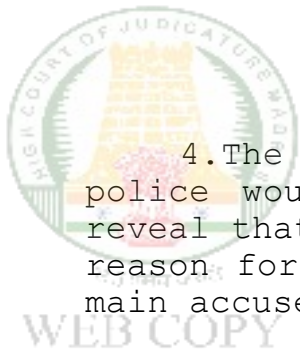
PRAYER :-For Bail in Crime No.314 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial custody on 30.09.2021 for the offences punishable under Section 174(3) Cr.P.C altered into Sections 498-A and 306 IPC, in Crime No.314 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to family dispute between the defacto complainant's daughter and the first accused, the defacto complainant's daughter hanged herself and committed suicide. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 30.09.2021. Hence, he seeks bail.



4.The learned Additional Public Prosecutor for the respondent police would submit that District Revenue Officer's report would reveal that there was no dowry harassment and that, that was not the reason for the death of the victim. It is not in dispute that the main accused was arrested and is in judicial custody.

5.Considering the fact that the first petitioner is the maternal uncle, second petitioner is the mother and the third petitioner is the sister of the first accused and considering the nature of the charges levelled against them and also the fact that they are in judicial custody from 30.09.2021 and that the petitioners are not having any bad antecedents, this Court is inclined to grant bail to the petitioners subject to the following conditions :

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Musiri.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of one month and thereafter as and when required for interrogation;

iii)the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 2 and 3 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/11/2021

/ 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
MUSIRI

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON TRICHY.

4 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, TRICHY.

5 THE INSPECTOR OF POLICE
KATTUPUTHUR POLICE STATION, TRICHY DISTRICT.

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

+1 CC to Mr.S.DEENADHAYALAN, Advocate (SR-8352[I] dated 22/11/2021)

ORDER
IN
CRL OP(MD) No.17483 of 2021
Date :22/11/2021

DAS
MK/PN/SAR.I/22.11.2021/3P/8C