



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.11490 of 2022

SATHIYASEELAN

[PETITIONER / ACCUSED]

Vs

STATE BY
THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
PALLADAM,
TIRUPPUR DISTRICT.
(CRIME NO.482 OF 2022)

[RESPONDENT]

For Petitioner : M/S.C.PRAKASAM Advocate

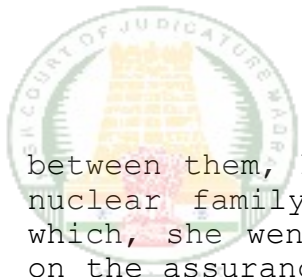
For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 02.05.2022 for the alleged offence under Sections 498(a) and 306 I.P.C. in Crime No.482 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the marriage between the petitioner and the deceased Haripriya was solemnised on 28.08.2020, which was an arranged marriage and out of wedlock, they also got a male child on 24.05.2021. Right from the marriage, the petitioner and his family members demanded dowry from the deceased family. After the birth of baby, the deceased on the pretext that as the petitioner's family members are residing with them, frequent quarrel arising



between them, hence, the deceased insisted the petitioner to set up a nuclear family leaving his mother, for which, he objected, due to which, she went to her parents house and returned back on 01.05.2022 on the assurance that the petitioner and his family members would take care of her. However, on 02.05.2022, the defacto complainant received an information that his daughter committed suicide by hanging. Hence, the complaint.

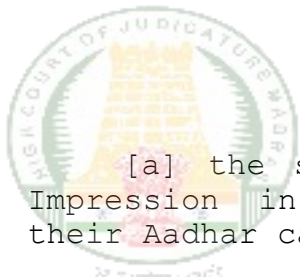
3. The learned counsel appearing for petitioner would submit that the petitioner is an innocent person and only due to mental depression, the deceased constantly picked up quarrel with the petitioner, however, she also demanded to leave his mother and to start a nuclear family. He would submit that as the deceased Haripriya was under mental depression, she constantly picked up quarrel with the petitioner, and subsequently, she went to her parents house and stayed for some time and returned back on 01.05.2022. He would submit that there is no demand of dowry by the petitioner. He would also submit that not only the petitioner, his mother, his sister and his sister's husband, all are roped in this case and falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Addl. Public Prosecutor appearing for respondent would submit that the deceased Haripriya has got married to the petitioner on 28.08.2020 and right from the date of marriage, there have been demand of dowry, due to which, the deceased had become sick, and for that, she had taken treatment. He would submit that as there was frequent quarrel between them, deceased went to her parents house and on 01.05.2022, she came back from her parents house on the assurance, that the petitioner and his family members would properly take care of her. While being so, on the next day night, she has committed suicide and died. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.A.Damodaran, learned Addl. Public Prosecutor for the respondent Police.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioner had already suffered incarceration for nearly 24 days and the investigation is almost completed by the police, this Court is inclined to enlarge the petitioner on bail.

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, Palladam, Tiruppur 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for the period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with 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 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/-
25/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
PALLADAM, TIRUPPUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
PALLADAM, TIRUPPUR DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL JAIL, COIMBATORE,
COIMBATORE DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.PRAKASAM Advocate on payment of necessary charges
SR.NO.7819

CRL OP.11490/2022

Date :25/05/2022

JPA 25/05/2022