



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.12512 of 2022

1 PARTHEEBAN
2 RAJESHWARI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
THIRUVARUR DISTRICT.
(CRIME NO.198/2022)

[RESPONDENT]

For Petitioner : M/S.T.MURUGANANTHAM Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

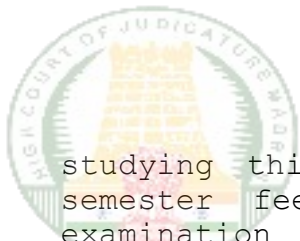
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 30.04.2022 for the alleged offence under Section 174(3) of Cr.P.C. altered into 304(B) of IPC in Crime No.198 of 2022 on the file of the respondent police, seeks bail.

2. The first petitioner/A1 is the husband of the deceased and the second petitioner/A2 is the mother in law of the deceased. The case of the prosecution is that the petitioners said to have demanded bike and money from the deceased, due to which, she committed suicide by hanging.

3. The learned counsel for the petitioners submitted that A1 and the deceased loved each other and their marriage took place one and half years before and they were living happily. The deceased was



studying third year BBA, the first petitioner failed to pay the semester fee and due to which, she was unable to attend the examination and thereafter, she had committed suicide by hanging. There was some dispute with regard to handing over the sridhana articles, for which, the petitioner was arrested. He further submitted that now the Sridhana articles have been handed over to the deceased family.

3. The learned Additional Public Prosecutor submitted that Revenue Divisional Officer enquiry is still pending. Hence, he vehemently opposed to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the now, the sridhana articles have been returned and also the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners subject to following conditions.

6. Accordingly, 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, Thiruthuraipoondi 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 report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation.

[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 229A IPC.

WEB COPY

-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,
THIRUTHURAIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, THIRUTHURAIPOONDI.

4 THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
THIRUVARUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary charges SR.NO. 7849

CRL OP.12512/2022

Date :25/05/2022

RW-26/05/2022