



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.696 of 2022

Kannan

... Petitioner/1st Accused

Vs

The State rep.by,
The Sub Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.511/2021)

... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

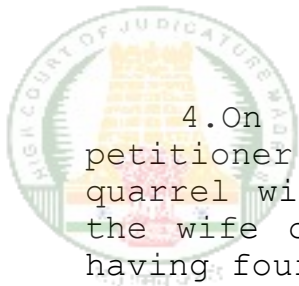
PRAYER :-For Bail in Crime No.511/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 11.12.2021 for the alleged offence under Sections 294(b) & 506(i) of IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act altered into Section 306 of IPC and Section 4B of the Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.511 of 2021, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that he instigated his wife to commit suicide. Hence, a case has been registered.

3.On the side of the petitioner it is stated that the wife suspected that there was illegal relationship between A2 and the petitioner. Only on that suspicion, the victim has committed suicide. The children of the petitioner and the deceased were now in the custody of the parents of the petitioner and prayed the petitioner to be released on bail.



4. On the side of the prosecution it is stated that the petitioner was having illegal intimacy with A2 and he used to quarrel with the wife in a drunken mood. Only due to his torture, the wife committed suicide by consuming poison. The petitioner is having four previous cases and prayed the petition to be dismissed.

5. On the side of the petitioner by way of reply it is stated that the petitioner was arrested on 11.12.2021 and he is still in custody. The previous cases are sand theft cases.

6. On the side of the prosecution it is stated that one of the case is under Section 506(ii) IPC lodged by neighbour of the petitioner and that on the fateful day the petitioner scolded his wife by telling her to commit suicide.

7. It is seen that the petitioner is in custody for the past 47 days. Considering that the petitioner has to take care of his minor children and considering the nature of the previous cases, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Nanguneri and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

27/01/2022

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/ /2022

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,
NANGUNERI.

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

3 THE SUPERINTENDENT,
CENTRAL JAIL PRISON,
PALAYAMKOTTAI.



4 THE SUB INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.696 of 2022
Date :27/01/2022

TM
MK/PN/SAR.IV/27.01.2022/3P/6C