



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 11.03.2022  
PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD) . No.4296 of 2022

Sakthivel

... Petitioner/Sole Accused

**vs.**

The State represented by  
The Inspector of Police,  
Kumbakonam Taluk Police Station,  
Thanjavur District.  
(Crime No.74 of 2022)

... Respondent/Complainant

For Petitioner : Mr.AN.RAMANATHAN,  
Advocate.

For Respondent : Mr.M.SAKTHI KUMAR,  
Government Advocate (Crl. Side).

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

**PRAYER :-** For Bail in Crime No.74 of 2022 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 25.01.2022 for the offence punishable under Section 4B(1) of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.74 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the defacto complainant's daughter, namely, Pushpalakshmi came in a two wheeler with her friend, the petitioner had scolded and beaten her. Due to that, the defacto complainant's daughter committed suicide by hanging. Hence, the complaint.

3.No doubt, the earlier application for bail filed by the petitioner was dismissed by this Court in Crl.O.P.(MD)No.3314 of 2022 dated 16.02.2022.

4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.



5.The learned Government Advocate (Criminal Side) would submit that medical report is yet to be received and other aspects of the investigation is almost completed. He would further submit that the petitioner is not having any previous cases.

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6.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 25.01.2022, that investigation is almost completed and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner to the following conditions:

7.Accordingly, 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 No.II, Kumbakonam, Thanjavur.

(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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner 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 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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

11/03/2022

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11/03/2022

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 NO.II  
KUMBAKONAM, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE  
SUB JAIL, KUMBAKONAM.
- 4 THE INSPECTOR OF POLICE,  
KUMBAKONAM TALUK POLICE STATION,  
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**ORDER**

**IN**

CRL OP(MD) No.4296 of 2022

Date :11/03/2022

SA/VR/SAR.3/11.03.2022/3P/6C