



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.03.2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.4692 of 2022

C.Suresh

... Petitioner/ Accused

vs.

The State rep.by,
The Inspector of Police,
Sirunganur Police Station,
Trichy District.
(Crime No.18 of 2022)

... Respondent/Complainant

For Petitioner : Mr.KM.Karunakaran, Advocate
for Mr.B.Karthikeyan, 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.18 of 2022 on the file of the respondent police.

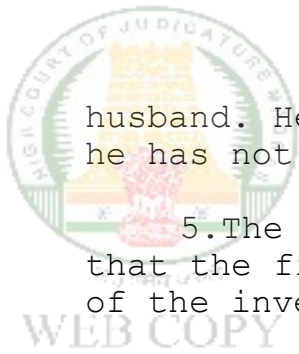
ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 22.01.2022 for the offence punishable under Section 174(3) Cr.P.C., altered into Section 306 IPC, in Crime No.18 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased Rekha was married to one Murali and she borrowed Rs.1,00,000/- from the petitioner. Since she was not able to return back the said money in time, the petitioner tortured the deceased by asking his money back and due to that, she committed suicide. Hence, the complaint.

3.No doubt, the earlier applications for bail filed by the petitioner were dismissed by this Court in Crl.O.P.(MD)Nos.2738 and 3586 of 2022 dated 09.02.2022 and 21.02.2022 respectively.

4.The learned counsel for the petitioner would submit that the husband of the deceased borrowed money from the village people and due to that, there was family quarrel between the deceased and her



husband. He would further 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 the final opinion alone is yet to be received and other aspects of the investigation is almost completed.

6.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 22.01.2022, 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, Lalgudi, Tiruchy District.

(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., until further orders;

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

(iv)the petitioner shall not abscond during trial;

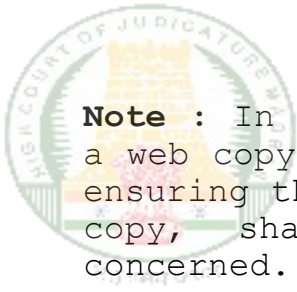
(v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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

/ TRUE COPY /

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.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE,
LALGUDI, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
SIRUGANUR POLICE STATION, SIRUGANUR, TRICHY.
- 4 THE OFFICER INCHARGE,
SUB JAIL, MUSIRI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4692 of 2022
Date :11/03/2022

CSM
MK/VR/SAR.III/11.03.2022/3P/6C