



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.5330 of 2022

Tamil Selvan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District,
Crime No.96 of 2022.

... Respondent/Complainant

For Petitioner : MR.S.Vidhya Sagar,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

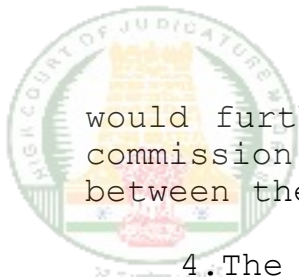
PRAYER :-For Bail in Crime No.96 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 03.03.2022 for the offences punishable under Sections 174 of Cr.P.C @ 306 IPC in Crime No.96 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased were in love for the past five years. On 05.02.2022, the petitioner had contacted the deceased through video call and suddenly the deceased's mobile phone was switched off. Thereafter, the petitioner contacted the mother of the deceased and abused the deceased. Due to which, the deceased committed suicide by self immolation. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner and the deceased were in love, that the petitioner had contacted the deceased through video call and suddenly the call was ended, that the petitioner has contacted her mother and that the mother came to know that she had committed suicide. He



would further submit that he has absolutely no role in the alleged commission of suicide by the deceased and that there was no quarrel between them before the occurrence.

4.The learned Additional Public Prosecutor would submit that the petitioner is having four previous cases for the property offence and that the investigation is almost completed.

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 03.03.2022 and also the fact that the investigation is almost completed as stated by the learned Additional Public Prosecutor, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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, Ramanathapuram.

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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

12/04/2022

/ TRUE COPY /

12/04/2022

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,
RAMANATHAPURAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION, RAMANATHAPURAM DISTRICT,

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

+1 CC to MR.M.S.JEYAKARTHIK, Advocate (SR-3263[I] dated
12/04/2022)

ORDER

IN

CRL OP(MD) No.5330 of 2022

Date :12/04/2022

SJI

MK/MS/SAR.IV/12.04.2022/3P/7C