



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 13/04/2022  
PRESENT

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

CRL OP(MD) . No.6190 of 2022

Kottaisamy

... Petitioner/Sole Accused

**Vs**

The State by  
The Inspector of Police,  
Thiruvadanai Police Station,  
Ramnad District.  
(Crime No.64 of 2022).

... Respondent/Complainant

For Petitioner : Mr.D.VENKATESH,  
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,  
Additional Public Prosecutor.

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

**PRAYER :-** For Bail in Crime No.64 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 08.03.2022 for the offence punishable under Section 174 Cr.P.C., altered into Section 306 IPC, in Crime No.64 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are the sons of the deceased, that the deceased wanted to solemnize the marriage between the petitioner and his sister's daughter and when the same was not accepted by the petitioner, a wordy quarrel arose between them and due to that, the deceased has beaten his wife, for which, the petitioner has beaten the deceased and on the next day, the deceased committed suicide by hanging. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the son of the deceased, that there existed wordy quarrel between the petitioner and the deceased and that since the deceased had beaten his wife, the petitioner intervened and had beaten his father and thereafter the petitioner's father had committed suicide.



4.The learned Additional Public Prosecutor would submit that investigation is almost completed and that the petitioner is not having any previous cases.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 08.03.2022 and that the petitioner is not having any bad antecedents, 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, Thiruvadanai.

(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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-  
13/04/2022

/ TRUE COPY /

13/04/2022  
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  
THIRUVADANAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANTHAPURAM DISTRICT.

3 THE OFFICER INCHARGE  
SUB JAIL, PARAMAKUDI.

4 THE INSPECTOR OF POLICE,  
THIRUVADANAI POLICE STATION,  
RAMNAD DISTRICT.

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

+1. CC to M/S.VENKATESH.D Advocate SR.No.3360

**ORDER**

**IN**

CRL OP(MD) No.6190 of 2022

Date :13/04/2022

SA/PN/SAR.2/13.04.2022/3P/7C