



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/05/2022
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9622 of 2022

Karthikeyan

... Petitioner/1st Accused

Vs

The State represented by
The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
Crime No.138 of 2021.

... Respondent/Complainant

For Petitioner : Mr.M.S.Jeyakarthik,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.138 of 2021 on the file of the Respondent Police.

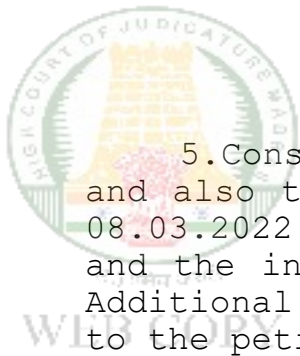
ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 08.03.2022 for the offence punishable under Sections 174(3) of Cr.P.C @ 304(b) IPC, in Cr.No.138 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused demanded dowry from the deceased and harassed her, due to which, she committed suicide on 24.08.2021. Hence, the complaint.

3.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. He would further submit that the petitioner is in judicial custody from 08.03.2022.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is in judicial custody from 08.03.2022 and that the petitioner is not having any bad antecedents. He would further submit that the investigation is almost completed.



5.Considering the fact that there existed matrimonial dispute 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 and 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 Judicial Magistrate Court, 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 on every Saturday at 10.30 am 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].

sd/-

19/05/2022

/ TRUE COPY /

20/05/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das

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,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE

Police Station, RAMANATHAPURAM DISTRICT.



4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

+1. CC to M/S.JEYAKARTHIK M S Advocate SR.No.4925

ORDER
IN
CRL OP(MD) No.9622 of 2022
Date :19/05/2022

SS/JM/SAR:II/20.05.2022 : 3P/7C