



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2022

PRESENT

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

CRL OP(MD) . No.9532 of 2022

G.Kalidasan

... Petitioner/Accused (Sole)

Vs

The State rep.by
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Crime No.86 of 2022.

... Respondent/Complainant

For Petitioner : M/s.KANNAN.G,
Advocate.

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

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

PRAYER :- For Bail in Crime No.86 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

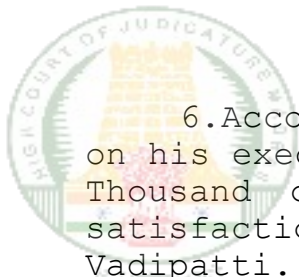
The petitioner/sole Accused, who was arrested and remanded judicial custody on 29.04.2022 for the offences punishable under Sections 174 of Cr.P.C @ 305 of IPC, in Crime No.86 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased loved each other and when they asked permission for marriage from the mother of the deceased, she denied the same and advised them in this regard, while so, on the date of occurrence the petitioner herin came to the house of the deceased and compelled her to marry him and went away. Thereafter, the deceased committed suicide by hanging herself.

3.The learned counsel for the petitioner submitted that the petitioner and the deceased loved each other and when they asked the permission of the parents for marriage, they denied for the same and thereafter, the deceased committed suicide.

4.The learned Government Advocate(Crl.side) appearing for the respondent police objected for grant of bail and produced the copy of the statement recorded under Section 164 Cr.P.C and also submits that the investigating is completed.

5.On perusal of the records, it shows that it is a case of love affair and investigation is almost completed and the petitioner is in judicial custody from 29.04.2022.



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 District Munsif cum Judicial Magistrate, Vadipatti.

(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 two months 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]***.

sd/-

18/05/2022

/ TRUE COPY /

18/05/2022

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, VADIPATTI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
SAMAYANALLUR POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 cc to Mr.G.KANAN, Advocate, SR.No.23722 (F)

ORDER IN

CRL OP(MD) No.9532 of 2022

Date : 18/05/2022

SA/JM/SAR.2/18.05.2022/2P/7C

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