



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.9361 of 2022

WEB COPY

1. Maria Anthony Raj,
2. Anthonysamy,
3. Rajan @ Anthonyraja, ... Petitioners/Accused Nos. 1 to 3

Vs

THE STATE REP BY,
The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
Cr.No.31/2021.

... Respondent/Complainant

For Petitioner : M/s. Prabu.M,
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. 31/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, who were arrested and remanded judicial custody on 04.05.2022 for the offences punishable under Sections 174(3) of Cr.P.C altered into 306 of IPC, in Crime No.31 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to the harassment and inducement made by the petitioners, the deceased committed suicide by falling down into a deep Well.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) appearing for the respondent submits that investigation has almost completed and also submits that the deceased died only due the act of the first



5.Considering the nature of offence committed by the first petitioner, this Court is not inclined to grant bail to the first petitioner and this Criminal Original Petition is dismissed as far as the first petitioner.

6.There is no specific overt act against second and the third petitioners. Hence, this Court is inclined to grant bail to the second and third petitioners.

7.Accordingly, the second and third petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti, Thoothukudi 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 second and third petitioners shall report before the respondent police on every Wednesday at 10.30 a.m for a period of three months and thereafter, as and when required for interrogation;

(iii)the second and third petitioners shall not tamper with evidence or witness;

(iv)the second and third petitioners 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 second and third petitioners in accordance with law as if the conditions have been imposed and the second and third petitioners 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.

TTA

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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

1 THE JUDICIAL MAGISTRATE NO. II
KOVILPATTI, THOOTHUKUDI DISTRICT.

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

3 THE INSPECTOR OF POLICE
KOPPAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE OFFICER INCHARGE
DISTRICT JAIL, PEROORNI,
THOOTHUKUDI.

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

ORDER
IN
CRL OP(MD) No.9361 of 2022
Date :18/05/2022

PKP/SVR/SAR-2/18.05.2022/3P/6C