



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 22/06/2022

PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.ILANGOVAN**

CRL OP(MD) . No.10127 of 2022

Kili @ Ramachandran

... Petitioner/1<sup>st</sup> Accused

Vs

The State Rep. By,  
The Sub Inspector of Police,  
Thalaiyuthu Police Station,  
Tirunelveli,  
Crime.No.129 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Laxman.K.R,  
Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor (Crl.Side)

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

PRAYER :- For Bail in Crime No. 129 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 01.05.2022 for the alleged offence under Section 306 of IPC, in Crime No.129 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the brother of the deceased. The deceased has given loan to the petitioner. Thereafter, the petitioner refused to return the same. Due to which, the petitioner was in mental depression. On 20.04.2021, at 10.30 a.m, the deceased committed suicide by hanging. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that earlier bail application filed by the petitioner in Crl.OP(MD)No.9184 of 2022 was dismissed by this Court on 19.05.2022. He is in judicial custody from 01.05.2022. Hence, he prays for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor submitted that investigation is almost over. With regard to the suicide note, it has been submitted to the expert, for hand writing examination.

5.It is seen that earlier bail application filed by the petitioner came to be dismissed by this Court by the order dated 09.05.2022 observing that the suicide note implicating the petitioner into the occurrence requires thorough investigation.

6.The learned counsel for the petitioner made a submission that contra to the statement made by the deceased in the suicide note, he has parted a sum of Rs.7 lakhs to the deceased. For which, he has also produced a copy of the cheque bearing date 10.05.2021. So, according to him, prosecution has stated contra facts. Now, he is in custody for more than 53 days.

7.Considering the period of incarceration and also considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with stringent conditions.

8.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate-III, Tirunelveli, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-  
22/06/2022

/ TRUE COPY /

22/06/2022  
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-III,  
TIRUNELVELI.

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



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,  
CENTRAL PRISON, PALAYAMKOTTAI..
4. THE SUB INSPECTOR OF POLICE,  
THALAIYUTHU POLICE STATION,  
TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.R.LAKMAN, Advocate ( SR-5936[I] dated 22/06/2022 )

ORDER  
IN  
CRL OP(MD) No.10127 of 2022  
Date :22/06/2022

USK/PN/SAR-III/22.06.2022/3P/7C