



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 28/06/2022
PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.10317 of 2022

Maria Anthony Raj ... Petitioner/Accused No.1

Vs.

State represented by
The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
(Crime No.31 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.PRABHU, Advocate

For Respondent : Mr.B.THANGA ARAVINDH
Government Advocate (Criminal side)

For Intervenor : Mr.A.P.MUTHUPADIAN, Advocate

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

PRAYER :- For Bail in Crime No.31 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A1 was arrested on 04/05/2022 and remanded to judicial custody for the alleged offence punishable under section 174 Cr.P.C @ 306 IPC, in Crime No.31 of 2021, seeks bail.

2.The case of the prosecution is that the deceased was married to the petitioner, on 27/01/2021. After that, they were residing as a joint family and on 02/04/2021, all the family members attended the Church on the eve of Good Friday. At about 5.00 pm, the deceased said to have accidentally fell into the well situated in the property of this petitioner. Suspecting the cause of death, a complaint was given by the mother of the deceased, who is the de-facto complainant herein. During the course of investigation, the offence was altered to 306 IPC.

3.Heard both sides.

4.This petitioner was arrested and remanded to custody, on 04/05/2022. The earlier bail application, that was filed by the
<https://hcservices.ecourts.gov.in/hcservices/>



petitioner along with the co-accused came to be partly allowed in respect of the co-accused. But in respect of this petitioner, it was dismissed.

5.The learned counsel appearing for the petitioner would submit that even as per the case of the prosecution, this petitioner's brother was incapable and the deceased was directed to take care of him. Depressed over the attitude of the family members, she committed suicide. According to the prosecution, the accused persons have created circumstances, which drove the deceased to commit suicide.

6.Perusal of the CD file shows that there was pressure on the part of the accused persons to the deceased to take care of the brother of this petitioner, which was not liking her. She has also expressed her unwillingness to do the above said care taking. But that was objected and not accepted by the family members and they were pressurising her. So depressed over the attitude the members of the family, it appears that she committed suicide. Whether this petitioner has created such a circumstance, is a matter for investigation and trial.

7.It is unfortunate that within 20 days of marriage, suicide has occurred. Now final report has also been filed on 03/05/2022 and the committal proceedings is also underway.

8.Since final report has been filed and it was taken cognizance by the concerned court, this court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 Judicial Magistrate No.II, Kovilpatti, Thoothukudi District and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

sd/-
28/06/2022

/ TRUE COPY /

/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 NO.II
KOVILPATTI, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT JAIL, PEROORNI,
THOOTHUKUDI.
- 4 THE INSPECTOR OF POLICE,
KOPPAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 cc to Mr.A.P.MUTHUPADIAN, Advocate, SR.No.6331 (DATE:29/06/2022)

ORDER

IN

CRL OP(MD) No.10317 of 2022

Date :28/06/2022

SA/PN/SAR.2/28.06.2022/3P/7C