



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

Date : 05.07.2022

PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD). No.11420 of 2022

WEB COPY

1.M.Nagarajan

2.Prabhakaran @ Prabha

... Petitioner/Accused NO.1 & 2

**Vs**

State Rep.by

The Inspector of Police,

Ramjee Nagar Police Station,

Trichy District.

(Crime No.383 of 2021)

... Respondent/Complainant

For Petitioners : Mr.V.Angusamy,  
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,  
Additional Public Prosecutor.

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

**PRAYER :-**

For Bail in Crime No.383 of 2021 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioners/A.1 & A.2, who were arrested and remanded to judicial custody on 25.04.2022 for the offences punishable under Section 174(3) Cr.P.C., altered into Sections 498(A) and 304(B) IPC, in Crime No.383 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the first petitioner's elder son and the defacto complainant's daughter are husband and wife and due to wedlock, they have been blessed with one female child. During the time of marriage, the defacto complainant offered 46 sovereigns of gold jewels and household articles worth about Rs.4,50,000/- to the accused and after marriage, the petitioners' family demanded more dowry and harassed the defacto complainant's daughter. Due to that, the defacto complainant's daughter poured kerosene on her along with her daughter and set fire and as a result, both of them died. Hence, the complaint.

3.No doubt, the earlier application for bail filed by the petitioners in Crl.O.P.(MD)No.9894 of 2022 was dismissed by this Court vide order dated 14.06.2022.



4.The learned counsel for the petitioners would submit that similarly placed third accused was granted bail by this Court in Crl.O.P.(MD)No.3953 of 2022 vide order dated 03.03.2022

5.The learned Additional Public Prosecutor would submit that forensic report is yet to be received.

6.Considering the above facts and circumstances of the case and also the facts that the petitioners are in judicial custody from 25.04.2022, that investigation might have been completed by this time, that the petitioners are not having any bad antecedents and that the third accused was already released on bail by this Court, this Court is not inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the 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, Additional Mahila Court, Trichy.

(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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

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

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

(vi)If the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/07/2022

/ TRUE COPY /

05/07/2022

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, 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.

## WEB COPY

- 1 THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, RAMJEE NAGAR POLICE STATION, TRICHY DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.ANGUSAMY, Advocate ( SR-6558[I] dated 05/07/2022 )

ORDER

IN

CRL OP(MD) No.11420 of 2022

Date :05/07/2022

RS/PN/SAR.3 (05.07.2022) 3P-7C