



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) Nos.16765 & 16767 of 2022

WEB COPY

Tharamary @ Saratha Devi

... Petitioner/Accused No.2
in Crl.OP(MD).16765/2022

Mohanraj

... Petitioner/Accused No.1
in Crl.OP(MD).16767/2022

Vs

State Rep.by
The Inspector of Police,
Thogamalai Police Station,
Karur District.
Cr.No.145/2022

... Respondent/Complainant
in Both cases

IN BOTH PETITIONS

For Petitioners : M/s.M.Karunanithi, Advocate.
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

COMMON PRAYER :-

To enlarge the petitioners / Accused on bail in PRC No.14/2022 on the file of the Judicial Magistrate I, Kulithalai, Karur in Crime No.145 of 2022 pending investigation on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 and A2 were arrested on 25.07.2022 and remanded to Judicial Custody for the offences under Section 174(3) Cr.P.C. @ 304(B) IPC and Section 4 of Dowry Prohibition Act in Crime No.145 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is mother of the deceased, who committed suicide, the wife of the first accused. A2 is the mother in law of the deceased. The defacto complainant stated in her complaint that there was love morriage between her daughter and A1. That was not informed to the parents. On enquiry, the neighbours stated that the family of the petitioners are good people and no bad antecedent is reported against them. The deceased used to talk with the defacto complainant and her husband over phone daily and during the above said telephonic conversation,



the deceased repeatedly telling that A2 demanding money and making trouble.

3. On one day, the deceased came to the house. At that time, she told that the husband and mother in law are making trouble and torturing demanding money, for which they promised to arrange the money. So on 30.04.2021, again at about 9.00 a.m., when the deceased was talking with her over phone when they are going to bring money, cried saying that she has been tortured. At 12.00 noon, she was informed that the deceased committed suicide. She went to the hospital and saw the deceased body. Over the above occurrence, the case was registered.

4. The earlier bail applications filed by the petitioners are dismissed on the ground that investigation is in initial stage. Reading of the FIR shows that there was a trouble between the deceased and her mother-in-law.

5. Now final report has been filed and taken cognizance by the concerned Court. Therefore, considering the period of incarceration, this Court is inclined to grant bail to the petitioners in both petitions with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kulithalai, Karur District and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

20/09/2022

/ TRUE COPY /

20/09/2022

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.I, KULITHALAI, KARUR DISTRICT.

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



3 THE SUPERINTENDENT, CENTRAL PRISON (FOR WOMEN), TRICHY.

4 THE OFFICER INCHARGE, SUB JAIL, KULITHALAI, KARUR DISTRICT.

5 THE INSPECTOR OF POLICE, THOGAMALAI POLICE STATION,
KARUR DISTRICT.

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

+2 CC to M/s.M.KARUNANITHI, Advocate (SR-10259[I], SR-10260[I]
dated 20/09/2022)

ORDER IN

CRL OP(MD) Nos.16765 & 16767 of 2022

Date :20/09/2022

TM

RS/VR/SAR.2 (20.09.2022) 3P-9C