



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 06/10/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17752 of 2022

Sivamanikandan,

... Petitioner/Accused No.1

Vs

State Rep.by

The Inspector of Police,

S.V.Mangalam Police Station,

Sivagangai District.

(Crime No.57 of 2022)..

... Respondent/Complainant

For Petitioner : M/s. Arun Prasad.A, Advocate.

For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

For Intervener : M/S.Prabha, Advocate

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

PRAYER :-

For Bail in Crime No. 57 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 17.06.2022 for the offences punishable under Sections 174(3) of Cr.P.C @ 498(A) and 304(B) of IPC, in Crime No.57 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the husband of the deceased. The marriage took place between the parties on 10.07.2016. They had begotten two children. At the time of marriage, the deceased was given 150 sovereign of gold jewels, one Swift Dzire Car and other usual sridhanas. From the date of marriage, the petitioner along with other accused harassed the deceased by demanding additional dowry. Due to which, the deceased committed suicide on 16.06.2022. Based upon the complaint, present



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that A3 was already released on bail by this Court, dated 08.09.2022 and the petitioner is in judicial custody from 17.06.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned counsel for the Intervener would submit that the petitioner along with other accused demanded additional dowry from the deceased. Due to the harassment made by the petitioner and his family members, she was forced to commit suicide. The father-in-law of the deceased used to talk with her in double meaning. Which caused mental depression. That is one of the reason for committing suicide.

5.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that all the witnesses were examined and the investigation is almost completed and no previous case is pending against the petitioner.

6.It is seen that two children got separated without affection of mother and father and they are now in custody of the maternal parents.

7.Considering the welfare of the minor children and also considering the fact that the investigation is almost completed, this Court is inclined to grant bail to the petitioner with certain conditions.

8.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Singampunari, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police **daily at 10.30 a.m., for a period of three (3) months** and thereafter as and when required for interrogation and co-operate with the respondent police to complete the investigation.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.



[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

06/10/2022

/ TRUE COPY /

06/10/2022

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS/MGA

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 DISTRICT MUNSIF  
CUM JUDICIAL MAGISTRAT3E SINGAMPUNARI.
- 2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE,  
SUB JAIL, PARAMAKUDI..
- 4 THE INSPECTOR OF POLICE  
S.V.MANGALAM POLICE STATION,  
SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17752 of 2022

Date :06/10/2022

PKP/SVR/SAR-4/06.10.2022/3P/6C