



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17905 of 2022

Chellaiah @ Seeman,
S/o. Asai

... Petitioner/Accused No.1

Vs

State Rep by
The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.308 of 2022.

... Respondent/Complainant

Ravichandran

... Intervening Petitioner
in CRL MP(MD).12130 of 2022

For Petitioner	: M/s.Ragaventhre S, Advocate.
For Respondent	: Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor
For Intervenor	: Mr.B.Vinothkumar

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

PRAYER :-

For Bail in Crime No.308 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 07.09.2022 for the offences punishable under Sections 174(3) of Cr.P.C @ Section 306 of IPC, in Crime No.308 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 19.03.2018, the marriage was solemnized between the petitioner and the defacto complainant's daughter/deceased. They are not having any child, over which, a dispute arose between them. Since all the accused persons harassed the deceased, she committed suicide by hanging. Hence, the complaint.



3.The learned counsel for the petitioner would submit that there was no harassment or cruelty as alleged by the prosecution. The petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 07.09.2022 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor appearing for the respondent police strongly opposed for grant of bail to the petitioner on the ground that the deceased committed suicide by hanging due to the harassment of the accused persons. He would further submit that the viscera report and RDO enquiry report are yet to be received and the major part of the investigation is over.

5.The learned counsel appearing for the intervenor vehemently opposed for grant of bail to the petitioner.

6.Considering the facts and circumstances of the case and considering the period of incarceration and also the facts that major part of the investigation is over, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 learned Judicial Magistrate, Natham, Dindigul District.

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

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

(iv)the petitioner 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 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/-

18/10/2022

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18/10/2022

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



TO

1. The Judicial Magistrate,
Natham,
Dindigul District.
2. Do Through The Chief Judicial Magistrate,
Dindigul.
3. The Officer Incharge,
Sub Jail, Dindigul.
4. The Inspector of Police,
Natham Police Station, Dindigul
District. Crime No.308 of 2022..
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.RAGAVENTHRE, Advocate (SR-11560[I] dated
18/10/2022)

ORDER
IN
CRL OP(MD) No.17905 of 2022
Date : 18/10/2022

USK/SBN(18.10.2022) 3P 7C