



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

Dated: 03/01/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.20589 of 2021

Dhamodharan @ Raja ...Petitioner/Accused No.3

Vs

The State Rep. by.
Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
(Crime No.518 of 2021)

... Respondent/Complainant

S.Velusamy ...Intervening Petitioner/
Defacto Complainant/Defacto Complainant

For Petitioner : MR.SARVAGAN PRABHU, Advocate for
MR.T.J.EBENEZER CHARLES, Advocate

For Respondent : MR.R.MEENAKSHI SUNDARAM
Additional Public Prosecutor

For Intervener : MR.P.M.VISHNUVARTHANAN, Advocate

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

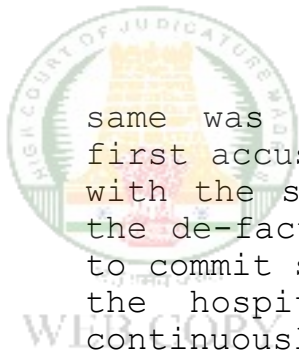
PRAYER :-

For Bail in Crime No.518 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A3 was arrested on 23/11/2021 and remanded to judicial custody for the offences punishable under section 307 IPC r/w section 4 of TNPHW Act, in Crime No.518 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the marriage of the de-facto complainant's daughter and A1 was solemnized on 01.12.2013 and they were blessed with two children. The first accused along with his wife has been running a computer based company namely Veteran Technology Solution at Trichy. One Mohan Raj, Parthipan and Fathima Beevi are working in the said company. The first accused is said to have illicit affair with his staff namely Fathima Beevi. When the



same was questioned by the de-facto complainant's daughter, the first accused had neglected her and refused to snap his relationship with the said Fathima Beevi. That on 14/01/2021 at about 10.30 am, the de-facto complainant's daughter is said to have made an attempt to commit suicide by hanging in the ceiling fan and she was taken to the hospital and thereafter, she has been taking treatment continuously. In the meantime, on 01/09/2021, the first accused's daughter is said to have informed the de-facto complainant that the first accused alone had attempted to kill her mother. Thereafter only, the complaint was lodged and on that basis, FIR in Crime No.518 of 2021 came to be registered for the offences as stated above.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State as well as the learned Counsel appearing for the intervener.

4.It is a very pathetic case of wife, who allegedly attempted to be murdered at the hands of her husband. It seems that trouble arose between the husband and the wife/intervener, because of the alleged illegal intimacy with the employer of her husband. When that was alleged to have been questioned, trouble said to have been arisen between the husband and wife.

5.The photographs produced are showing the condition of the intervener/de-facto complainant while she was undertaking treatment in a pathetic condition. The de-facto complainant/intervener has also produced the list of documents showing the issue.

6.No doubt, this petitioner is a 3rd party to the dispute between the husband and wife. The allegation against this petitioner is that he has also aided, abetted the murder attempt by the husband, upon the de-facto complainant. Reading of the FIR shows that this petitioner was alleged to be present with the alleged attempt of murder took place.

7.The learned counsel appearing for the intervener/de-facto complainant would submit that this petitioner become a partner along with the main accused namely R.Surendhiran/A1 and his aim was to become a partner of the company, which was run by the partnership firm, by doing way the life of the de-facto complainant. No doubt, these are the matters, which got to be elaborately investigated during the course of investigation. Now the de-facto complainant has been discharged from the hospital.

8.The bail application that was filed by this petitioner came to be dismissed by the Principal District and Sessions Judge, Trichy, in Crl.M.P.Nos.5641 and 5674 of 2021, dated 13/12/2021 observing that since the anticipatory bail petition that was filed by the petitioner in Crl.OP(MD)No.16654 of 2021, came to be dismissed on 06/10/2021. Even though, serious allegation has been



made against this petitioner, considering the period of custody of this petitioner and by this time, most of the investigation might have been over and A1 has also been granted bail by this court in Crl.OP(MD)No.19850 of 2021, dated 21/12/2021, this court is inclined to enlarge the petitioner on bail with certain conditions.

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9. 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 learned Judicial Magistrate No.III, Trichy and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

10. After passing the orders, the learned counsel appearing for the intervener/de-facto complainant would submit that the petitioner must comply with the above condition imposed by this court and he should not leave India without prior permission from the concerned jurisdictional Magistrate Court. For that, the learned counsel appearing for the petitioner would submit that the petitioner will not leave India without prior permission from the concerned jurisdictional Magistrate Court.

sd/-

03/01/2022

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

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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.III
TRICHY.
- 2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE ,
TRICHY .
- 3 THE INSPECTOR OF POLICE ,
JEEYAPURAM 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 Mr.T.J.EBENEZER CHARLES, Advocate SR.No.9(I)

+1cc to Mr.M.VISHNUVARTHANAN, Advocate, Sr.No.62(I)

ORDER

IN

CRL OP(MD) No.20589 of 2021

Date :03/01/2022

PKP/PN/SAR-3/04.01.2022/4P/8C