



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

Date : 06/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.21078 of 2022

1. Shobana

2. Sobiya

... Petitioners/Accused No.2&3

Vs

The State Rep. By,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.388 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Muthuvai Ilayaraja K,
Advocate.

For Respondent : Mr.T. Senthilkumar,
Additional Public Prosecutor

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

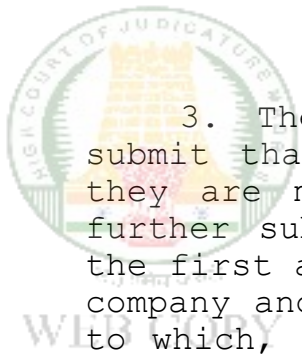
PRAYER :-

For Bail in Crime No.388 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners who were arrested and remanded to judicial custody on 18.11.2022 for the offence punishable under Section 174 (3) Cr.P.C., altered into 306 IPC in Crime No. 388 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that her deceased sister viz., Jebaseeli married one Jegadish on 08.05.2021. On 18.11.2022, his brother-in-law called the defacto complainant's mother and informed that the defacto complainant's daughter committed suicide by hanging. Hence, initially, a case was registered for the offence under Section 174(3) Cr.P.c. and later, during the investigation, it came to light that due to the matrimonial dispute the deceased committed suicide by hanging and thereafter, the case has been altered into 306 IPC.



3. The learned counsel appearing for the petitioners would submit that the petitioners are sisters of the first accused and they are married and living with their respective families. He further submitted as per 161 Statement recorded it is stated that the first accused, brother of the petitioners was working in finance company and he was having illegal intimacy with many ladies and due to which, a problem arose between the A1 and the deceased and that she committed suicide. He would further submit that the petitioners herein are innocent and they are in judicial custody from 18.11.2022 and seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners are sisters-in-law of the deceased and the first accused had illicit intimacy with other women and thereby, the deceased had committed suicide on hanging and the report of the Revenue divisional Officer is not yet received and hence, he strongly objected to grant bail to the petitioners.

5. Taking into consideration of the facts and submissions made by the learned counsels and that the petitioners are only sister-in-laws of the de facto complainant and that the petitioners are in judicial custody from 18.11.2022, this Court is inclined to grant bail to the petitioners subject to the following conditions:

(a) Accordingly, the petitioners are ordered to be released on bail on condition to execute a 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, Manamadurai, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

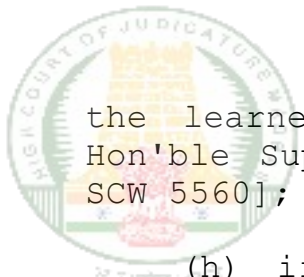
(c) the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners shall not commit any offences of similar nature;

(e) the petitioners shall not abscond either during investigation or trial;

(f) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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 petitioners released on bail by



the learned Magistrate/Trial Court himself as laid down in the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala** [(2005) AIR SCW 5560];

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
06/12/2022

/ TRUE COPY /

06/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
MANAMADURAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE OFFICER-INCHARGE,
SUB JAIL, PARAMAKUDI.
4. THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.MUTHUVAI ILAYARAJA, Advocate (SR-14415[I] dated 06/12/2022)

ORDER
IN
CRL OP(MD) No.21078 of 2022
Date :06/12/2022

trp
USK/SSS/SAR- /06.12.2022/3P/7C