



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/03/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5242 of 2023

1. Kannan
2. Ramadass

... Petitioners/Accused Nos.1 & 2

Vs

State Rep.by
The Inspector of Police,
Thiruvegampathur Police Station,
Sivagangai District.
Crime No. 19 of 2023.

... Respondent/Complainant

For Petitioners : M/s.Sanjay S.M., Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 19 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners /A1 and A2 who were arrested and remanded to judicial custody on 01.03.2023 for the offences under sections 174(3) Cr.P.C @ 306 of IPC r/w. 4 of TNP of Charging Exorbitant Interest Act, 2003 in Crime No.19 of 2023 on the file of the respondent police seek bail.

2.The case of the prosecution is that the petitioners committed the offence of abetment of suicide, hence the case.

3.Heard both sides and perused the materials available on record including the First Information Report.

4.It is seen that the first petitioner has lend money to the victim. When the petitioners had demanded to repay the same the deceased had committed suicide. There is no evidence available to show that the petitioners have instigated or abetted the deceased to commit suicide. Further there is no suicide note available. Taking



into consideration of the facts and submissions made by the learned counsels and also the period of incarceration 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, Devakottai and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioners shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

[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 petitioners 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 by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
21/03/2023

/ TRUE COPY /

21/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



TO

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE, THIRUVEGAMPATHUR POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.S.M.SANJAY, Advocate (SR-4643[I] dated 21/03/2023)

ORDER

IN

CRL OP(MD) No.5242 of 2023

Date :21/03/2023

RS/MMS/SAR-(21.03.2023) 3P 7C