



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2023

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PRESENT

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

CRL OP(MD) . 6229 of 2023

Sudharasan

... Petitioner/Sole Accused

Vs

State rep., by
The Inspector of Police,
Thanthonimalai Police Station,
Karur District, Karur.
(Crime No.119 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.Rajasekar, Advocate
for M/s.Lajapathi Roy Associates
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

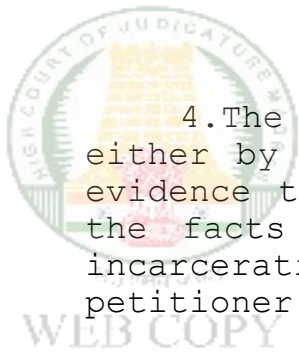
For Bail in Crime No.119 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 09.03.2023 for the offences punishable under Sections 174(iii) of IPC and altered into Section 306 of IPC in Crime No.119 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that it is the case of suicide. After 15 days from the date of marriage, the deceased committed suicide in the matrimonial home by hanging herself. It the allegation that the petitioner is having illegal relationship with another lady and the deceased felt that he neglect her. Hence, she committed suicide.

3.Heard and perused the materials available on record and also including the FIR.



4.The suicide note reveals that there was no dowry h. it either by the petitioner or by his family members and there is no evidence to instigate the deceased to commit suicide. Considering the facts and circumstance of the case and also the period of incarceration, this court is inclined to grant bail to the petitioner subject to the following conditions:

5.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 blood related sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.I, Karur and on further conditions 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 Aadhar 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 four weeks and thereafter, as and when required for interrogation.

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

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

[e] 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].

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

sd/-

03/04/2023

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03/04/2023

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

Rmk

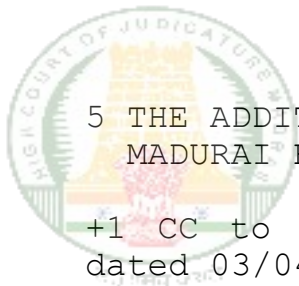
To

1 THE JUDICIAL MAGISTRATE NO.I, KARUR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.

3 THE INSPECTOR OF POLICE, THANTHONIMALAI POLICE STATION,
KARUR DISTRICT, KARUR.

4 THE OFFICER INCHARGE, SUB JAIL, KARUR.



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

+1 CC to M/s.LAJAPATHI ROY AND ASSOCIATES, Advocate (SR-5374[I]
dated 03/04/2023)

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ORDER
IN
CRL OP(MD) No.6229 of 2023
Date :03/04/2023

RS/VR/SAR-(03.04.2023) 3P 7C