



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/04/2023

PRESENT

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

CRL OP(MD) . No.6641 of 2023

1. Vennila

2. Velankanni

3. Nanchi ... Petitioners/Accused No.2 to 4

Vs

The State represented by
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

In Crime No.87 of 2023.. ... Respondent/Complainant

For Petitioners : M/s.Ramesh Kumar S,
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.87 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners /A2 to A4 who were arrested and remanded to judicial custody on 19.03.2023 for the offences under sections 294 (b), 323, 506(i), 306 of IPC r/w.section 4 of TNPHW Act in Crime No.87 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that A1 and the deceased loved each other and the defacto complainant is the elder sister of the deceased and that on 18.03.2023 at about 7.30 pm., while the defacto complainant was speaking with A1, A2 scolded her in filthy language over phone and when the defacto complainant and her sister went to the house of A1 for getting their phone, A2 to A4 abused A1, defacto complainant and her sister in filthy language and pushed her



sown and threatened with dire consequences, unable to bear the sister of the defacto complainant committed suicide by hanging, 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 accused developed illegal intimacy with the deceased and when the same was questioned by the petitioners who are wife and close relatives, the deceased committed suicide by hanging and died. There is no evidence to show that the petitioners herein instigated the deceased to commit suicide. Taking into consideration 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 No.II, Kodaikanal 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/-

11/04/2023

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11/04/2023

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



1 THE JUDICIAL MAGISTRATE NO.II
KODAIKANAL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, NILAKOTTAI.

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

+1. CC to M/S.RAMESH KUMAR S Advocate SR.No.5684

ORDER
IN
CRL OP (MD) No.6641 of 2023
Date :11/04/2023

SS/SSS/SAR /11/04/2023/3P/7C