



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

Date : 12/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.6743 of 2023

WEB COPY

Mallika

... Petitioner / Accused No.1

Vs

State rep by
The Inspector of Police,
Kattanoor Police Station,
Virudhunagar District.
(Crime No.03/2023).

... Respondent / Complainant

For Petitioner : M/s.Vadivel A, 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.3/2023 on the file of the Respondent Police

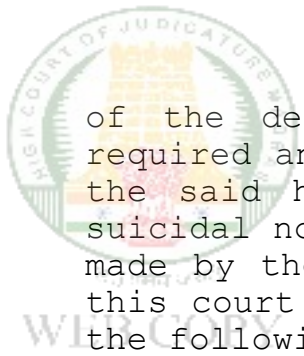
ORDER : The Court made the following order :-

The petitioner /A1 who was arrested and remanded to judicial custody on 13.03.2023 for the offence under section 306 of IPC in Crime No.3 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution as per the de-facto complainant is that due to some dispute between the first petitioner and the deceased the deceased committed suicide, hence the case

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

4. There are totally four accused in this case and the petitioner herein is arrayed as A1. The deceased got married the petitioner and gave birth to two children. The deceased had gone abroad for his avocation and earned money and sent to the petitioner herein. The petitioner had also purchased properties in her name. Thereafter she developed illegal intimacy with A2 and when the deceased came back to his native and questioned the same, there was a quarrel between them and on the instruction given by A3 and A4 the petitioner herein removed her thali and had thrown on the face



of the deceased. She also informed that his assistance was required and asked him to go away from the home. Thereafter due to the said humiliation the deceased committed suicide leaving the suicidal note. 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 petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, Thiruchuli 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 petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

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

[f] the petitioner 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 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].

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

sd/-
12/04/2023

/ TRUE COPY /

/04/2023

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



To

1.The Judicial Magistrate,
Thiruchuli.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Kattanoor Police Station,
Virudhunagar District.

4.The Superintendent,
Central Prison (Women Prison),
Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.VADIVEL A Advocate SR.No.5734(I), dated 12.04.2023.

ORDER

IN

CRL OP(MD) No.6743 of 2023

Date :12/04/2023

ED/VR/SAR- (12/04/2023) 3P 7C