



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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8735 of 2023

1. Vijayarani
2. Thangamani

... Petitioners/Accused No. 2 & 3

Vs

The Inspector of Police,
Annavasal Police Station,
Pudukottai District.
(Crime No.97 of 2023).

... Respondent/Complainant

For Petitioner : M/s. Ganapathi Subramanian.P,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.97 of 2023 on the file of the respondent police

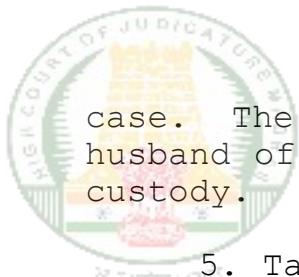
ORDER : The Court made the following order :-

The petitioners /Accused 2 & 3 who were arrested and remanded to judicial custody on 30.04.2023 for the offences punishable under Sections 174(3) @ 306 IPC in Crime No.97 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the daughter of the defacto complainant was married to the first accused. The petitioners/accused abused the deceased demanding dowry and hence, the deceased consumed poison and died.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that totally there are four accused in this



case. The present petitioners are the in laws of the deceased. The husband of the deceased/first accused was arrested and now he is in custody.

5. Taking into consideration of the facts and submissions made by the learned counsel, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties (out of which, one shall be a blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate, Illupur, 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 every Wednesday at 10.30 A.M., for a period of eight weeks, thereafter, as and when required.

[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/-

17/05/2023

/ TRUE COPY /

18/05/2023

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



TO

1. The Judicial Magistrate, Illupur.
2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.
3. The Superintendent, District Prison,
Pudukkottai.
4. The Superintendent, Women Prison,
Trichy.
5. The Inspector of Police,
Annavasal Police Station, Pudukkottai
District (Crime No.97 of 2023).
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-7450[I] dated
18/05/2023)

ORDER

IN

CRL OP(MD) No.8735 of 2023

Date : 17/05/2023

NA/MMS/SAR- /18.05.2023/3P/8C