



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07.06.2023
PRESENT

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

CRL OP(MD)No.9888 of 2023

Aravindh @ Aravindhan

... Petitioner/Accused 1

Vs

State represented by
The Sub-Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
Crime No.97 of 2023

... Respondent/Complainant

For Petitioner : Mr.P.GANAPATHI SUBRAMANIAN, 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. 97 of 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 30.04.2023 for the offence under section 174(3) Cr.P.C., altered into Section 306 IPC in Crime No.97 of 2023 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner is the husband of the defacto complainant's daughter. The petitioner was working in a hotel at Chennai and her wife was living with her mother-in-law. There was continuous demand of dowry and on 29.04.2023, the daughter of the defacto complainant died by consuming poison. Hence the case.

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

4.It is seen that there are totally three accused persons in this case, in which, the petitioner is arrayed as A1. He got married to the deceased and due to wed-lock, she got pregnant. There



was dowry demand by the accused persons. While being on 29.04.2023, the deceased consumed poison and admitted in the hospital. In fact, on 29.04.2023, they planned to celebrate bangle ceremony for the deceased. The petitioner was also returned to native from Chennai to celebrate the function. Initially, the case was registered under Section 174(3) Cr.P.C., and thereafter, it was altered under Section 306 IPC.

5. Taking into consideration of the above facts and circumstances 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 District Munsif cum 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 petitioner shall report before the respondent police daily at 10.30 am., for a period of four weeks and thereafter, as and when required.

[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.

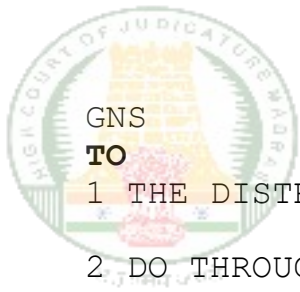
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07/06/2023

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07/06/2023

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



GNS

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ILLUPUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

4 THE SUB-INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S.GANAPATHI SUBRAMANIAN P Advocate SR.No.8236 (I)
Dt.07/06/2023

ORDER

IN

CRL OP(MD) No.9888 of 2023

Date :07/06/2023

SA/SSS/SAR. /07.06.2023/3P/7C