



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 13/07/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.12170 of 2023

Sakthivel Murugan

... Petitioner/Accused 1

Vs.

State rep. by
The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Crime No.161 of 2023)

... Respondent/Complainant

For Petitioner	: Mr.B.MUNEESWARAN, Advocate
For Respondent	: Mr.B.NAMBISELVAN, Additional Public Prosecutor

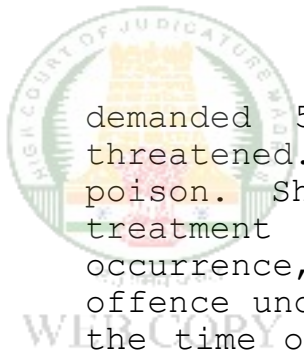
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER:-For Bail in Crime No.161 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 02/06/2023 for the offence punishable under section 174(3) Cr.P.C @ 294(b), 506(i) and 306 IPC, in Crime No.161 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that his own sister Tamarai Selvi was married to Sakthivel Murugan, on 24/11/2019. The above Sakthivel Murugan was working in the Ministry of Home Affairs, Bihar State. He was provided with sufficient sreedhana and house-hold articles at the time of marriage. After the marriage, demanding more jewels and money frequent harassment was made by the husband and in-laws. The deceased was taken to her parental home by this petitioner namely Sakthivel Murugan, left there and went to job. Used to come during vacation and occasionally, visited the deceased. Two children born to them in the meantime. When request was made to Sakthivel Murugan to take the family to the matrimonial home, he has stated that they must give 50 sovereigns of gold, as demanded by his parents. Over the same, a complaint was given to the Department. On 31/05/2023 at about 09.00 pm, Sakthivel Murugan came to the house, picked up quarrel with the deceased and they intervened. Even at that time, he



demand 50 sovereigns of gold jewel. The deceased threatened. At about 12.00 pm in the night, the deceased took poison. She was taken to the hospital, where she was taking treatment and died at 3.57 am. On the basis of the above said occurrence, a case in Crime No.161 of 2023 was registered for the offence under section 174(3) Cr.P.C @ 294(b), 506(i) and 306 IPC. At the time of investigation, the involvement of this petitioner came to light. He was arrested and remanded to judicial custody.

3. Seeking bail, this petition has been filed on the ground that only due to matrimonial issue, the deceased committed suicide, for which the petitioner is not responsible.

4. The learned Additional Public Prosecutor was required to produce the CD file and RDO report.

5. Perusal of the RDO report does not indicate any harassment on dowry demand. Now the investigation is almost over, no purpose is going to be served in detaining the petitioner in the judicial custody.

6. But it is seen that continuously this petitioner did not take care of the family and the deceased. Whether this petitioner by his action, drove the deceased to commit suicide is the only point to be decided at the time of trial.

7. Considering the facts and circumstances of the case and also considering the duration of incarceration by this petitioner, this court is inclined to grant bail to the petitioner with certain conditions. 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kamuthi and on further condition that the petitioner shall appear before the respondent police daily at 10.00 am until further orders.

sd/-
13/07/2023

/ TRUE COPY /

13/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER
TO

1 THE JUDICIAL MAGISTRATE,
KAMUTHI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S. MUNESWARAN.B Advocate SR.No.10688

ORDER

IN

CRL OP(MD) No.12170 of 2023

Date :13/07/2023

SA/VR/SAR. /13.07.2023/3P/7C