



WEB COPY

CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.12619 of 2023

Santhanam ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.
(Crime No.316 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Karthick.R.J,
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.316 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 20.06.2023 for the alleged offence under Section 306 of IPC, in Crime No.316 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased loved each other and the same was objected by the parents of the deceased. Thereafter, the parents of the deceased arranged marriage to her with some other boy. Even then, the petitioner made a continuous trouble to the deceased. Therefore, the deceased consumed poison and died. Hence the complaint.

3.The matter is of the year 2022. During the course of investigation, the petitioner moved anticipatory bail petition and the same was dismissed by directing the petitioner to surrender before the respondent police or the concerned Court and thereafter, seek regular bail. The petitioner was arrested by the respondent



police on 20.06.2023 and remanded to judicial custody.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that audio clipping was recovered from the petitioner and the same was sent to laboratory examination.

5.A reading of the confession statement of the accused, does not indicate the recovery and as per the prosecution, the petitioner loved the deceased and the same was objected by the parents of the deceased. Thereafter, the deceased parents arranged marriage to their daughter with some other boy. Thereafter, the petitioner tortured the deceased through the mobile phone and made a continuous trouble to her. Therefore, the deceased consumed poison and she was admitted in the hospital for three days. Dying declaration was not recorded from the deceased, since the deceased was unconscious during above said three days.

6.Considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Court, Sankarankovil, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

11/07/2023

/ TRUE COPY /

/07/2023

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

TTA

TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE, KARIVALAMVANTHANALLUR POLICE STATION, TENKASI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC TO MR.R.J.KARTHICK, ADVOCATE, SR-10525[I] DATED 12.07.2023

ORDER IN

CRL OP(MD) No.12619 of 2023

Date :11/07/2023

RS/VR/SAR-(11.07.2023) 2P 7C

<https://www.mhc.tn.gov.in/judis>