



CRL OP(MD). No.15116 of 2023

WEB COPY

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

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15116 of 2023

Nagarajan

... Petitioner / Accused No.4

Vs

State through
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(In Crime No.150 of 2023).

... Respondent / Complainant

For Petitioner : M/s.Balamuruganantham.R, 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.150 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4 herein, who was arrested on 19.06.2023 for the alleged offence under Sections 174(3) of Cr.P.C. @ 498(A), 304(B) of IPC and Section 4 of Dowry Prohibition Act in Crime No.150 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that due matrimonial dispute between the parties, on 18.06.2023 at about 05.00 p.m., the petitioner/accused along with other accused have harassed the deceased by demanding dowry and due to that deceased committed suicide. Thus the case has been registered.

3.On the basis of the complaint given by the defacto complainant, case has been registered under Section 174 (3) Cr.P.C. During the course of investigation, finding that the above said suicide occurred due to the assault and intimidation as well as the demand of dowry by all the accused persons. Thereafter, the case has been altered to Sections 498(A), 304(B) of IPC and Section 4 of Dowry Prohibition Act. This petitioner was arrested on 22.06.2023. Stating that the petitioner is aged about 72 years and he is only the father-in-law of the deceased, this petition has been filed. Absolutely, there is no issue between this petitioner and the deceased. According to the counsel for the petitioner, because of some non conceivable of child by the deceased, there was issue between the husband and wife. Over which, she committed suicide.

4.The learned Additional Public Prosecutor would submit that because of the above said issue only there was problem between the husband and wife. Later some sort of development occurred in the form of demanding of dowry, harassment, intimidation, etc.,

5.Reading of the CD file shows that at the instance and instigation of family members of the first accused, the first accused used to pick up quarrel with the deceased in drunken mood. Out of the above the deceased was rejected. But, however, considering the age of the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is



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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, Additional Mahila Court, Sivagangai, Sivagangai District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
18/08/2023

/ TRUE COPY /

18/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

To

1. The Judicial Magistrate, Additional Mahila Court,
Sivagangai, Sivagangai District.
2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The Superintendent,
Central Jail,
Madurai.
4. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.R.BALA MURUGANANTHAM, Advocate (SR-12500[I] dated
18/08/2023)

ORDER
IN

CRL OP(MD) No.15116 of 2023
Date :18/08/2023

ED/ /SAR- (18/08/2023) 4P / 7 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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