



CRL OP(MD). No.15493 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15493 of 2023

Sampathkumar

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District,
Crime No.150/2023.

... Respondent/Complainant

For Petitioner : M/s.Balamurugananthan.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.150/2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 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



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police, seeks bail.

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2.The case of the prosecution is that due matrimonial dispute between the defacto complainant and the first accused, 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 19.06.2023. Stating that the petitioner is only the brother-in-law of the deceased, this petition has been filed. Absolutely, there is no issue between this petitioner and the deceased. He is residing far away from 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. Upon which, she committed suicide. The father of the petitioner, who is A4 in this case, was released on bail by this Court on 18.08.2023 by the order passed in CrI.O.P.(MD).No.15116 of 2023.



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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.Considering the period of incarceration and the petitioner is the father in law of the deceased, who is the co-accused, was released on bail, this Court is inclined to grant bail to the petitioner with conditions.

6.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, 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/-
25/08/2023

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25/08/2023

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

TM



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TO

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1 THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT, SIVAGANGAI,
SIVAGANGAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE, SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-12830[I] dated
25/08/2023)

ORDER

IN

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Date :25/08/2023

RS//SAR-(25.08.2023) 4P 7C

Madurai Bench of Madras High Court is issuing
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