



CRL OP(MD). No.15616 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/08/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

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1. Sounthravalli
2. Somasundaram

... Petitioners/ Accused No.1 & 3

Vs

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

... Respondent/Complainant

For Petitioners : M/s.Balamuruganantham R, Advocate.
For Respondent : Mr.S.Ravi,
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 petitioners/A1 and A3 who were arrested and remanded to judicial custody on 19.06.2023 for the offences punishable under Sections 174(3) @ 498(A),304

(B) of IPC and Section 4 of D.P.Act in Crime No.150 of 2023 on the file of the

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



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respondent Police, seek bail.

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2. The case of the prosecution is that on 18.06.2023 at about 5.00 pm., the petitioners herein along with other accused harassed the deceased demanding more dowry and due to the same she committed suicide by hanging, hence the case came to be registered.

3. The learned counsel appearing for the petitioners would contend that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are in custody from 19.06.2023 and hence they may be granted bail.

4. The learned Additional Public Prosecutor appearing for the respondent would contend that the first petitioner is the mother-in-law and the second petitioner is the husband of the defacto complainant. He would further submit that the petitioners/accused along with other accused alleged to have harassed the defacto complainant demanding more dowry and unable to bear the torture the deceased committed suicide by hanging herself. He would further submit that the investigation is almost completed, however he strongly objected to grant bail to the petitioners. However he fairly concedes that co-accused was granted bail by this Court.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side and considering the fact that



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material part of the investigation is almost completed and considering the period of incarceration and also the fact that co-accused was released on bail by this Court and considering all other aspects this Court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Additional Mahila Court, Sivagangai District, Sivagangai and on further conditions that:

[b] the petitioners shall report before the respondent police every day at 10.00 am., until further orders.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 229A IPC.

sd/-
29/08/2023

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29/08/2023

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

AAV

TO

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

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL (WOMEN PRISON), PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE DISTRICT PRISON,
RAMANATHAPURAM DISTRICT.

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

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

+1 CC TO MR.BALAMURUGANANTHAM, Advocate, SR-12969[I]



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ORDER
IN
CRL OP(MD) No.15616 of 2023
Date :29/08/2023

RS//SAR-(29.08.2023) 5P 8C
Madurai Bench of Madras High Court is issuing
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