



WEB COPY

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

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16209 of 2023

Boobesh

... Petitioner/ Accused No.1

Vs

State rep. by
The Inspector of Police,
Velayuthampalam East Police Station,
Karur District.
(Crime No.331 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.G.Karuppasamy Pandiyan,
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.331 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 22/07/2023 for the offence punishable under section 174(3) Cr.P.C @ 306 IPC, in Crime No.331 of 2023 on the file of the respondent police, seeks bail.



2.The case of the prosecution in brief:- The de-facto complainant lodged a complaint stating that her sister namely Gayathiri performed love marriage with one Boobesh, on 20/07/2023. Because of that, they were not in talking terms. Some six months prior to the occurrence, Gayathiri informed that she became pregnant. After that, the mother was used to talk with Gayathiri. During the telephonic conversation, Gayathiri informed the mother that the husband's family members are demanding dowry. About Rs.1,00,000/- was given by the mother as dowry. On 13/05/2022, her father died in a road accident. Later, she was informed by the deceased namely Gayathiri that all the family members are demanding dowry. On 13/05/2023, when she came to the house, she was given 4-1/2 sovereigns of gold jewels. On 07/07/2023, again Rs.5,00,000/- was given to Gayathiri. On 19/07/2023 at about 07.55 pm, repeated calls were made by the deceased stating that she has been harassed by the husband and his family members. On 20/07/2023, she was informed by Boobesh that Gayathiri committed suicide. Suspecting the involvement of this petitioner and his family members, the above said suspicious death, she lodged a complaint. Originally, the case was registered under section 174(3) Cr.P.C. Later, it was altered to 306 IPC.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offences as alleged by the prosecution.

The petitioner is in custody from 22.07.2023. Hence, prays to release him on bail.

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



4.The earlier bail application was dismissed noting the conduct of the petitioner that because of his drunken attitude, frequent trouble arose between the husband and wife. On the particular date of occurrence also, he came in drunken mood and picked up the quarrel with the deceased. It is observed that there is no question of demand of dowry, because there was love affair between them and later they got married.

5.Considering the facts and circumstances of this case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain 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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
07/09/2023

/ TRUE COPY /

07/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu



TO
1 THE JUDICIAL MAGISTRATE NO.II,
KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY

4 THE INSPECTOR OF POLICE
VELAYUTHAMPALAYAM POLICE STATION,
KARUR.

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

+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-13314[I] dated
07/09/2023)

ORDER
IN
CRL OP(MD) No.16209 of 2023
Date :07/09/2023

SSA/07.09.2023/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023