



CRL OP(MD). No.17762 of 2023

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

Date : 05/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17762 of 2023

Manikandan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Ayikudi Police Station,
Tenkasi District.
(Crime No.78 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Indrachithu.T,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.78 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 02.08.2023 for the alleged offence under Section 174 of Cr.P.C., @ 306 of IPC, in Crime No.78 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the defacto complainant lodged a complaint stating that her daughter namely Sudalaimadathi is a widow. She obtained loan amount of Rs.2 lakhs for purchasing bike for her son. On 26.07.2023, her daughter came to her house and demanded money for paying installment. She replied that she is not having sufficient money. She also scolded the daughter for having obtained loan from several persons. On 26.07.2023 at about 09.00 a.m., she went to sleep along with her daughter. But in the early morning on 27.07.2023 her granddaughter found Sudalaimadathi committed suicide by hanging. On the basis of the above occurrence, complaint has been registered under Section 174 Cr.P.C. Later during the course of investigation, the involvement of this petitioner came to light. On the ground that she was arrested and remanded in the judicial custody.

3.Seeking bail, this petition came to be filed on the ground that even as per the allegations made in the FIR no specific overt act has been attributed against this petitioner. Only because of the attitude of the deceased mother is not helping her, she committed suicide. For which this petitioner cannot be held responsible.

4. Since the learned counsel for the petitioner is not in position to inform the Court about the pledging of jewels, investigation is in initial stage, the earlier application filed by the petitioner was dismissed.



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5. Now the learned Additional Public Prosecutor would submit that investigation is almost over. However, the petitioner is having four previous cases against him, but not similar in nature.

6. Even though the petitioner is having four previous cases, which are not similar in nature, considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent 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, Sengottai, Tenkasi District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
05/10/2023

/ TRUE COPY /

05/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

1 THE JUDICIAL MAGISTRATE,
SENGOTTAI, TENKASI DISTRICT.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, TENKASI.

4 THE INSPECTOR OF POLICE
AYIKUDI POLICE STATION, TENKASI DISTRICT.

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

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-14706[I] dated 05/10/2023)

ORDER
IN

CRL OP(MD) No.17762 of 2023

Date :05/10/2023

SS/05/10/2023/4P/7C

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