



CRL OP(MD). No.18907 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.18907 of 2023

Radhakrishnan,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Thiruvidadaimaruthur Police Station,
Thanjavur District.
Cr.No.640/2023.

... Respondent/ Complainant

For Petitioner : Mr.BOOMEERAJAN,
Advocate.

For Respondent : Mr.RMS.SETHURAMAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.640/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /accused No.1 who was arrested and remanded to judicial custody on 23.09.2023 for the offence under Section 306 of IPC, in Crime No.640 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to family dispute between the petitioner and the defacto complainant's daughter, the defacto complainant's daughter committed suicide by hanging herself. Hence, the complaint.



CRL OP(MD). No.18907 of 2023

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3. The learned counsel for the petitioner would submit that the petitioner is an innocent and a false case has been foisted against him. He would further submit that the petitioner is in custody from 23.09.2023, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that due to family dispute, the petitioner's wife committed suicide by hanging herself. He further submitted that no previous case is pending against the petitioner and the investigation is almost over.

5. Taking into consideration the facts and circumstances of the case and also the fact that no previous case is pending against the petitioner and also the investigation is almost over and also taking into consideration the period of incarceration this court is inclined to grant bail to the petitioner , subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 District Munsif Cum Judicial Magistrate Court, Thiruvidaimaruthur, Thanjavur District, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.



CRL OP(MD). No.18907 of 2023

[c] the petitioner shall report before the respondent police daily at 10.30 A.M., and 5.30 p.m., until further orders.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
10/11/2023

/ TRUE COPY /

10/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO
1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.

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



CRL OP(MD). No.18907 of 2023

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, THIRUVIDAIMARUTHUR.

4 THE INSPECTOR OF POLICE,
THIRUVIDAIMARUTHUR POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER IN
CRL OP(MD) No.18907 of 2023
Date :10/11/2023

SA/SAR. /10.11.2023/4P/6C

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