



CRL OP(MD). No.20372 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20372 of 2023

Ramu, ... Petitioner/ Accused Rank not known

Vs

The State rep.by,
The Inspector Police,
Batalakundu Police Station,
Dindigul District.
(Crime No.392 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.Muniyandi.S,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime no.392 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.20372 of 2023

ORDER : The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 26.10.2023 for the alleged offence punishable under Sections 174(3) of Cr.P.C @ 306 of IPC in Crime No.392 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the marriage of the defacto complainant daughter was solemnized with the petitioner prior to four years. The petitioner herein regularly consumes alcohol and used to pick up quarrel with the deceased. Unable to bear the same the deceased committed suicide on 24.10.2023 by hanging. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 26.10.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that petitioner herein regularly consumes alcohol and used to pick up



CRL OP(MD). No.20372 of 2023

quarrel with the deceased. Unable to bear the same the deceased committed suicide on 24.10.2023 by hanging, hence he objected to grant bail to the petitioner.

5.Considering the facts and circumstances and also considering the period of incarceration and also taking into consideration of the principle stated by the Honourable Supreme Court in Sanjay Chandra and others vs. CBI reported in (2012) 1 SCC 40, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[i] 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 learned Judicial Magistrate, Nilakottai and on further conditions that:

(ii) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(iii) the petitioner shall appear before the trial Court on receipt of summons as directed by the trial Court.



CRL OP(MD). No.20372 of 2023

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(iv)the petitioner shall not tamper with evidence or witness;

(v)the petitioner shall not abscond during trial.

(vi) On breach of any of the aforesaid conditions, the learned 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].

vii)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
17/11/2023

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17/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



CRL OP(MD). No.20372 of 2023

TO
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1. THE JUDICIAL MAGISTRATE, NILAKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
3. THE OFFICER IN CHARGE ,SUB JAIL,
VEDASANDHUR, DINDIGUL DISTRICT.
4. THE INSPECTOR POLICE,
BATALLAKUNDU POLICE STATION,
DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-16451[I] dated 17/11/2023)

ORDER
IN
CRL OP(MD) No.20372 of 2023
Date :17/11/2023

RK (17/11/2023) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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