



CRL OP(MD). No.2653 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.2653 of 2024

Thirumurugan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
In Crime No.63 of 2024.

... Respondent/Complainant

For Petitioner : Mr.R.Mathiyalagan,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.63 of 2024 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 31.01.2024 for the offences punishable under Sections 174(3) of Cr.P.C. @



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Section 306 of IPC in Crime No.63 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that a marriage was solemnized between the defacto complainant's sister and the first accused on 16.11.2023. Thereafter, there was some misunderstanding between the husband and wife. On 30.01.2024, the deceased called his brother through phone and informed that her husband was assaulted her. So, the defacto complainant brought the deceased to his home. On 31.01.2024, the defacto complainant's sister committed suicide by hanging. Hence, the case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any allegations as alleged by the prosecution. There was some illegal relationship between the deceased person and someone and when the same was questioned by the petitioner, quarrel arose between them and the petitioner did not assault the deceased and he is not responsible for the death of the deceased person. Further, co-accused, who are in-laws of the deceased, were enlarged on bail by the concerned trial Court. He would further submit that the petitioner is in judicial custody from 31.01.2024. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent

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



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would submit that investigation is pending. Hence, he vehemently opposed to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report.

6.Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on his executing 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 No.I, Karur, and on further conditions that:

(a)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;

(b) the petitioner is directed to appear before the respondent Police daily at 10.30 a.m., until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;



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(e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
27/02/2024

/ TRUE COPY /

27 /02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KARUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.



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- 3 THE INSPECTOR OF POLICE
THANTHONIMALAI POLICE STATION,
KARUR DISTRICT,
- 4 THE OFFICER INCHARGE
SUB JAIL, KARUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2653 of 2024
Date :27/02/2024

PKP/27.02.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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