



CRL OP(MD). No.3020 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

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Sivaji @ Rengarasu @ Rengaraj

... Petitioner/ Accused No.7

Vs

The Inspector of Police,
Vattathikkottai Police Station,
Thanjavur District.
In Crime No.8 of 2024.

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar,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.8 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 13.01.2024 for the offences punishable under Sections 302 and 201 of IPC in Crime



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No.8 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first accused's daughter namely Ishwarya and the defacto complainant namely Naveen were loved each other. On 31.12.2023, both were got married at Tiruppur, where they were working, without consent of their family members. Initially, the first accused made a complaint before the Palladam Police Station. During the course of enquiry, they secured the victim girl and the first accused brought his daughter to her native. But the said marriage was not accepted by the deceased's family. Subsequently, on 03.01.2024, the family members of the said Ishwarya committed murder of her and they cremated her body in the burial ground. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any allegations as alleged by the prosecution. The petitioner is a villager and he attended only the funeral ceremony of the deceased. The respondent Police obtained the confession statement from the petitioner. Even on bare perusal of his confession statement, there is no specific overt act attributed against the petitioner. He would further submit that the petitioner is in judicial custody for more than 40 days. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that it is a honour killing. The defacto complainant belongs to

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



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scheduled caste and the deceased belonged to backward class. On knowing that the defacto complainant and the deceased got married, the petitioner instructed the first accused to commit murder of her daughter. Further, the petitioner and the other accused persons decided to hide the entire evidence of death of the victim girl, hence, the petitioner performed final rites to the deceased in the burial ground. Hence, he vehemently opposed to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report and confession statement of the petitioner.

6.Considering the facts and circumstances of the case and also considering that there is no specific overt act attributed against the petitioner and he simply instructed the first accused to commit murder of the victim girl 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, Pattukkottai, Thanjavur District, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the



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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;

(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

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



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INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
VATTATHIKKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.3020 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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