



CRL OP(MD). No.4951 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1.Parthasarathy,

2.Kannan

3.Rajeswari,

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam,
Thanjavur District.
Crime No.340 of 2022..

... Respondent/ Complainant

For Petitioners : Mr.N.Dilip Kumar,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor



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

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PRAYER :-

For Bail in Crime No.340 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / accused Nos.1 to 3, who were arrested and remanded to judicial custody on 15.02.2024 for the offence punishable under Section 174(3) IPC in Crime No.340 of 2022 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the marriage between the first petitioner and the deceased was performed on 24.08.2016 and the petitioners abetted the victim girl to commit suicide demanding jewelry and cash. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and the first petitioner is the husband of the deceased and the petitioners 2 and 3 are the in-laws of the deceased. He would further submit that the petitioners have been falsely implicated in this case and that the petitioners are in



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judicial custody from 15.02.2024. Hence, he prays for bail.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the first petitioner, in collusion with the petitioner Nos.2 and 3 have harassed the deceased demanding dowry, due to which, she committed suicide.

5. Heard the learned counsel on either side.

6. Considering the serious allegations levelled against the first petitioner who is the husband of the deceased, this Court is not inclined to grant bail to the first petitioner.

7. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner Nos.2 and 3 and the fact that the petitioner Nos.2 and 3 are in-laws of the deceased, this court is inclined to grant bail to the petitioner Nos.2 and 3, subject to the following conditions:

8. Accordingly, the petitioner Nos.2 and 3 are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each



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with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Kumbakonam 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 Nos.2 and 3 are directed to appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner Nos.2 and 3 shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner Nos.2 and 3 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 Nos.2 and 3 in accordance with law as if the conditions have been imposed and the petitioner Nos.2 and 3 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;



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

sd/-
28/03/2024

/ TRUE COPY /

28/03/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

TO

1. THE JUDICIAL MAGISTRATE, KUMBAKONAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4.THE OFFICER IN CHARGE,
SUB JAIL, KUMBAKONAM.
5. THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION,
KUMBAKONAM,
THANJAVUR DISTRICT.



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

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-3859[I] dated 28/03/2024)

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-3977[I] dated 28/03/2024)

ORDER
IN
CRL OP(MD) No.4951 of 2024
Date :28/03/2024

RK (28/03/2024) 6P / 9C

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