



CRL OP(MD). No.20920 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20920 of 2024

Prabhu,

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Tallakulam Police Station,
Madurai District.
(Crime No.1390 of 2023)

... Respondent / Complainant

For Petitioner : Mr.S.Vikram,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.1390 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial



CRL OP(MD). No.20920 of 2024

custody on 09.11.2024 for the alleged offences under Sections 174 of CrPC @ 306 of IPC Act, 1860, in Crime No.1390 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was an illicit relationship between A1 and the petitioner (A2). The husband of A1, who is the deceased in this case, took steps for dissolution of marriage. On the date when he attended the Court hearing, A1 and A2 are said to have abused him in filthy language and insulted him. The deceased became depressed and 7 days after this occurrence, he consumed poison and committed suicide. This incident took place on 22.11.2023 and an FIR was registered on 27.11.2023 under Section 174 of CrPC. Later it was altered to offence under Section 306 of IPC. There are totally 2 accused persons in this case and the petitioner has been arrayed as A2. The petitioner was arrested and remanded to judicial custody on 09.11.2024.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and



CRL OP(MD). No.20920 of 2024

WEB COPY

considering the fact that the incident occurred in the year 2023 and the petitioner has suffered incarceration from 09.11.2024 and the investigation has almost been completed in this case, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, 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.2, Madurai, Madurai District, 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 shall report before the respondent police on every Monday, Wednesday and Friday at 10.30 a.m. until further orders.

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



CRL OP(MD). No.20920 of 2024

WEB COPY

[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-

11/12/2024

/ TRUE COPY /

11/12/2024

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

PAL
TO

1 THE JUDICIAL MAGISTRATE NO.2
MADURAI, MADURAI DISTRICT.



CRL OP(MD). No.20920 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI DISTRICT.

4 THE OFFICER INCHARGE,
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.S.VIKRAM, Advocate (SR-15234[I] dated 11/12/2024)

ORDER
IN

CRL OP(MD) No.20920 of 2024

Date :11/12/2024

SS/SAR- /11/12/2024/ 5P/7C

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