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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1283 OF 2015**

Manikandan Vellayappan

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms.Nidhi G. Dotiya, for the Applicant

Ms.P.P.Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 28th SEPTEMBER, 2015

P.C. :

1. Heard learned counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R.No.450 of 2015 registered with the Samta Nagar Police Station, Mumbai for the alleged offences punishable under Sections 306 and 376 of the Indian Penal Code.
3. The complainant is the mother of the deceased. The deceased committed suicide on 6th July, 2015 and the aforesaid FIR was lodged on

26th August, 2015. According to the complainant, her daughter committed suicide as the applicant despite having promised to marry her, did not keep his promise. According to the complainant, on the assurance and promise of marriage the applicant had established physical relations with her daughter. She has alleged that the applicant was responsible for the suicide committed by her daughter.

4. Learned Counsel for the Applicant submitted that the applicant is a qualified Engineer, having completed his Diploma in Mechanical Engineering from Kumaran Polytechnic, Tiruvannamalai. She submitted that the Applicant shifted to Mumbai in 2006, and is presently working as a Senior Production Engineer with M/s.Jay Precision Products India Private Limited. She submitted that sometime in 2013, the applicant met the deceased at Nupur Nursing Home, where the deceased was working as a Nurse. She submitted that thereafter the applicant and the deceased started meeting regularly and their friendship developed into a love affair; that a few days prior to the incident, the deceased had sent a picture of the sleeping pills on the applicant's mobile and that when the applicant spoke to the deceased, the deceased did not consume the said sleeping pills. She

submits that again on the next day, the applicant received a message from the deceased asking him to get married some time in October, 2015; pursuant to which, the applicant called the deceased and told her that he would speak to her, after his return to Mumbai from Vapi. She submitted that at the relevant time, when the deceased committed suicide in her parental house, the applicant was at Vapi.

5. Perused the papers. From a perusal of the FIR, it is evident that the Applicant and the deceased were into a relationship and that they were major at the relevant time i.e. the deceased was 25 years of age and the applicant was 30 years of age. It also appears that at the relevant time when the deceased committed suicide in her parental house, the applicant was at Vapi.

6. Considering the nature of allegations, qua the present applicant, the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on

furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount ;

(ii) The applicant shall attend the concerned Police Station on every Sunday, between 10.00 a.m. to 11.00 a.m., till the filing of the charge-sheet ;

(iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

*Certified to be true and correct copy of the original signed
Judgment/order.*
