

Crl.O.P.No.8110 of 2016

K.KALYANASUNDARAM, J.

The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police for an alleged offence punishable under Section 306 r/w 511 of IPC and subsequently altered into Section 306 of IPC in Crime No.51 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the deceased was already married and she is having three children out of her wedlock with one Dhandapani. While so, the deceased developed illegal intimacy with the petitioner and started living separately in a single bed room house and she was insisting the accused to get a bigger house, which was refused, so, she committed suicide on 03.04.2016, at about 7.00p.m.

3.Learned counsel appearing for the petitioner would submit that the petitioner is a senior citizen aged about 62 years and the deceased is aged about 39 years and the case was registered based on the statement of the deceased. It is further submitted that the petitioner is an innocent person and he has been falsely implicated in this case with an ulterior motive. It is also submitted that the ingredients for an offence under Section 306 of IPC is not made out in this case.

4.Learned Government Advocate [Criminal Side] appearing for the respondent opposed to grant anticipatory bail to the petitioner contending that at the time the deceased committed suicide, the accused was also present.

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5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Udumalaipet and 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.00a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

12.04.2016

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