

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N.SATHISH KUMAR

CRIMINAL ORIGINAL PETITION No.14252 of 2018

S.SASIKUMAR,

[PETITIONER / ACCUSED]

Vs

STATE REP. BY,
INSPECTOR OF POLICE,
CHENNIMALAI POLICE STATION,
ERODE DISTRICT.
CR.NO.155/2018.

[RESPONDENT]

For Petitioner : M/S.T.M.KARTHIKEYAN Advocate

For Respondent : MRS.M.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable u/s.306 of IPC in Crime No.155/2018, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused induced the victim to commit suicide by hanging.

3.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case and he is nothing to do with the alleged offence. It is further submitted that the brother of the victim had committed several house breaking and theft and on one such occasion, he committed theft in the house of the petitioner and that the mother of the petitioner had lodged a complaint against the brother of the victim and hence, being frustrated over the activities of his brother, the victim committed suicide. It is also submitted that the petitioner is working as a Foreman in TNEB.

4.Heard the submission of the learned Additional Public Prosecutor.

4. Having regard to the nature of the allegations and that the deceased allegedly committed suicide after a complaint has been lodged by the mother of the petitioner against the victim's brother for theft of 3 sovereigns of bangles, this Court is of the view that this is a

fit case to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Perundurai, Erode District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before respondent police daily at 6.30 p.m for a period of two weeks and thereafter, as and when required for interrogation.

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

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
30/05/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
PERUNDURAI.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CHENNIMALAI POLICE STATION,
ERODE DISTRICT.

+1 CC to M/S.T.M.KARTHIKEYAN Advocate on payment of necessary
charges-Sr.9571

CRL OP.14252/2018

Date :30/05/2018

ths : 31.05.2018