

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.10064 of 2019

VEERARAGHAVAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
CHEYYUR POLICE STATION,
KANCHEEPURAM DISTRICT.
CRIME NO.165 OF 2018

[RESPONDENT]

For Petitioner : M/S.G.MAGESH KUMAR Advocate

For Respondent : M/S.C.RAGHAVAN Government Advocate

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 under Section 304 (B) of IPC in Crime No.165 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused demanded dowry from the deceased who is wife of A1 and had beaten her using iron rod .Subsequently she was admitted in the hospital and despite treatment she died. Initially the FIR has been registered as unnatural death and later the FIR was altered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submitted that he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor submitted that A1 and A3 were arrested and remanded to judicial custody and subsequently they have been released on bail.

5. Taking into consideration of the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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, Madurantakam, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

(a) if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner and 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 his identity.

c] the petitioner shall report before the respondent police daily at 10.30p.m., and 5.30 p.m., until further orders.

d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

12/04/2019

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,
MADURANTAKAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
CHEYYUR POLICE STATION,
KANCHEEPURAM DISTRICT

+1 CC to M/S.G.MAGESH KUMAR Advocate on payment of necessary
charges SR.NO.7631, 7819

cm 15/04/2019

CRL OP.10064/2019

Date :12/04/2019



WEB COPY