



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3081 of 2019

R.GURUNATHAN

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
MELAPALAYAM POLICE STATION,
TIRUNELVELI DISTRICT.
Crime No.108 of 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.MUTHUPANDI Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

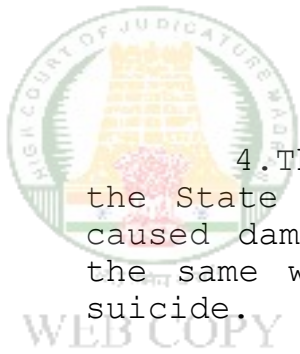
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 306 of IPC, in Cr.No.108 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the deceased take the vehicle along with one Paulraj which belongs to the defacto complainant for the business purpose and met with an accident, thereby caused damages of Rs.20,000/-. The same was questioned by the petitioner and he also threatened the deceased. Hence, the deceased committed suicide by consuming Arali seeds. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The defacto complainant's husband / the deceased borrowed several amounts from several persons and since he unable to repay the same to the creditors, on vexatious mood, he committed suicide. Accordingly, he prayed for anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the deceased met with an accident and caused damages to the vehicle belonging to the petitioner. When, the same was questioned by the petitioner, the deceased committed suicide.

5.Considering the facts and circumstances of this case, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Tirunelveli District, 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 learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned 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 daily at 10.30 a.m. until further orders;

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

(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 petitioners 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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
28/02/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO V,
TIRUNELVELI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,
MELAPALAYAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to Mr.P.MUTHUPANDI Advocate SR.No.4046

ORDER

IN

CRL OP(MD) No.3081 of 2019

Date :28/02/2019

TK/PN/SAR-1/06.03.2019/3P/6C