

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.4844 of 2020

1 V.VASUDEVAN
2 VEDIYAPPAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY,
THE INSPECTOR OF POLICE,
AVALURPET POLICE STATION,
VILLUPURAM DISTRICT.

[RESPONDENT]

[*]CRIME NO.20 OF 2020.

For Petitioner : M/S. V.R.APPASWAMEE Advocate

For Respondent : M/S. P.KRITIKA KAMAL Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Section 306 IPC in Cr.No.20 of 2020, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Kuppan is that his daughter Jayalakshmi was married to the first petitioner, fifteen years prior to the occurrence. The first accused developed illegal intimacy with some other lady and married her, due to which there was a quarrel between the petitioners and the deceased. The first petitioner and his father second petitioner tortured the victim, due to which she committed suicide by hanging.

3. The learned counsel for the petitioners would submit that there was a no material to show that the petitioners tortured the victim. Due to the wedlock with the first petitioner, the victim got two children. The defacto complainant alone suspects that the first petitioner had illegal intimacy with some other lady and there is no demand for dowry.

4. The learned Government Advocate (Crl.side) would submit that the first petitioner married the victim 15years back and he developed illegal intimacy with another lady and the petitioners have committed cruelty on the victim, resulting in the victim to commit suicide by hanging.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, before the Judicial Magistrate, Gingee, on condition that the petitioner shall execute a sepearate 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, within two weeks from the date of receipt of the order, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that :

[a] the petitioners 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 their identity.

[b] the petitioners shall report before the respondent police daily at 10.30am and 5.30p.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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]**.

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

-sd/-

16/03/2020

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.

[*]Amended as per order of this Court dated 06/03/2020 made in

CRL.MP.NO.3025 OF 2020 IN CRL.OP.NO.4844 OF 2020

TO

1 THE JUDICIAL MAGISTRATE,
GINGEE.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

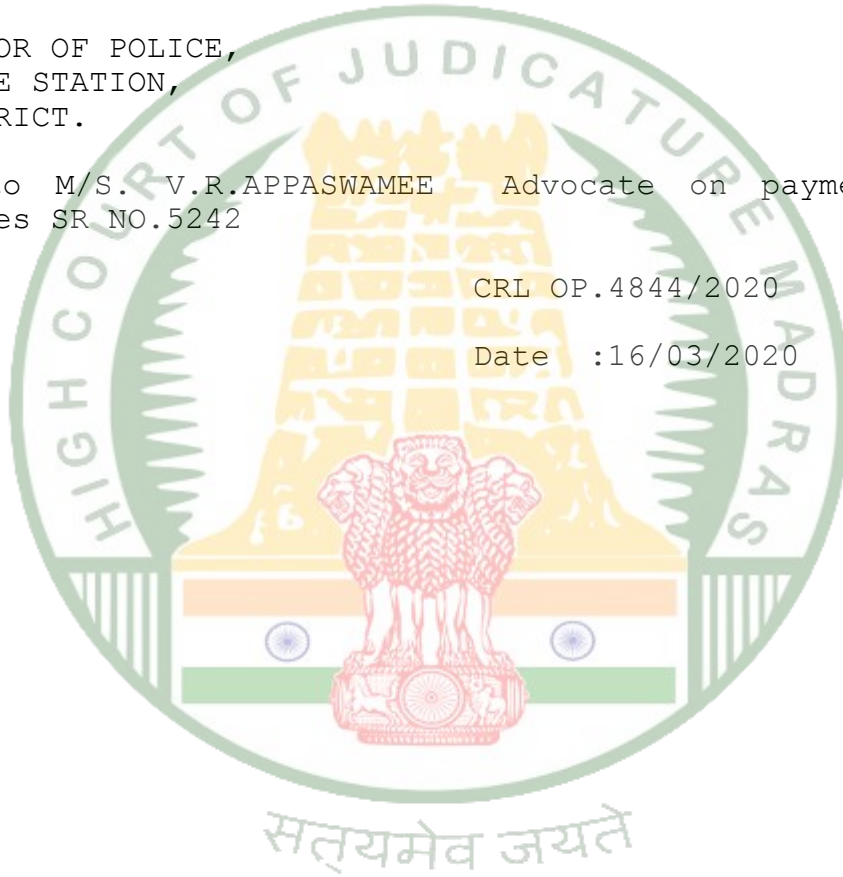
4 THE INSPECTOR OF POLICE,
AVALURPET POLICE STATION,
VILLUPURAM DISTRICT.

+1CC to M/S. V.R.APPASWAMEE Advocate on payment of
necessary charges SR NO.5242

CRL OP.4844/2020

Date :16/03/2020

MK:20/03/2020



WEB COPY