

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6397 of 2020

1 P.RAMASAMY
2 R.SURESH KUMAR
3 D.JAYAVELU
4 K.GOVINDARAJU
5 N.NAGARASU
6 S.SELVARAJ

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
JALAKANDAPURAM POLICE STATION
CRIME NO.53/2020.

[RESPONDENT]

For Petitioner : M/S.A.E.RAVICHANDRAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 of Cr.P.C and it was altered U/s 306 of I.P.C in Crime No.53 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband was working in a spinning mill and he committed suicide by jumping into a well inside the premises of the mill. Apprehending arrest the Managing Director(A1) and others (A2 - A6) working in the management of the Company have come to this Court. It is also not known why the deceased has jumped into the well. Hence, the complainant.

3. The learned counsel appearing for the petitioners would submit that the management of the spinning mill is not responsible for the suicide committed by the deceased. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the deceased committed suicide due to the harassment given by the management. Hence, he opposed for grant of anticipatory bail to the petitioners.

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, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Mettur on condition that the petitioners 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 this Court concerned, 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 not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners 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]**.

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

-sd/-

19/03/2020

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.

TO

1 THE JUDICIAL MAGISTRATE,
METTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

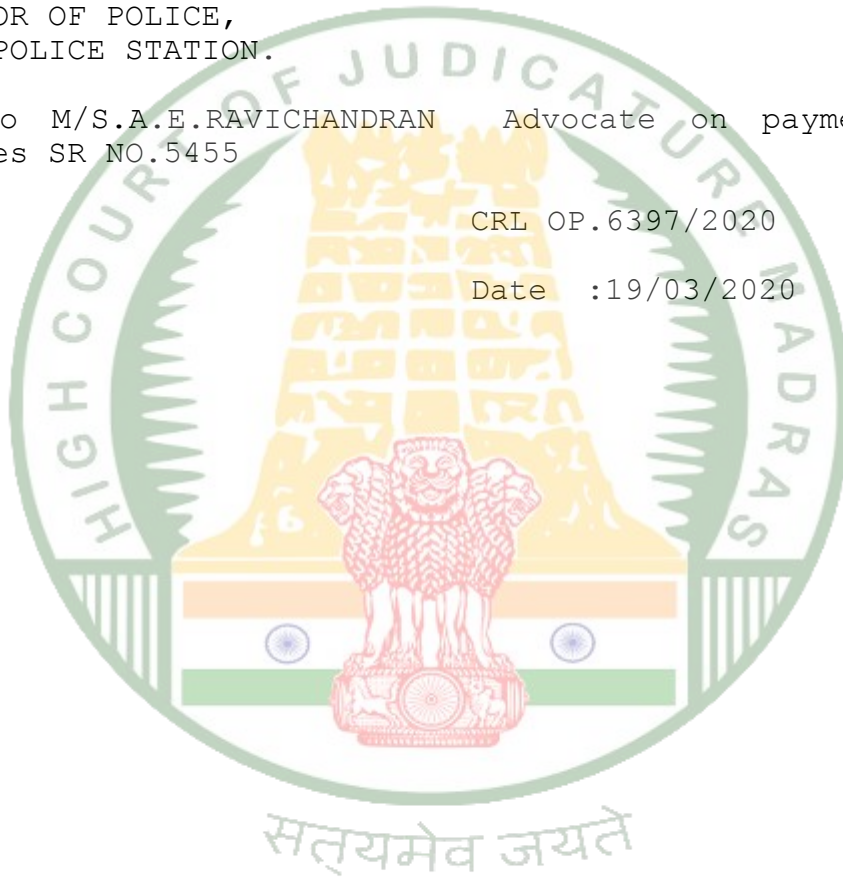
4 THE INSPECTOR OF POLICE,
JALAKANDAPURAM POLICE STATION.

+2CC to M/S.A.E.RAVICHANDRAN Advocate on payment of
necessary charges SR NO.5455

CRL OP.6397/2020

Date :19/03/2020

MK:29/06/2020



WEB COPY