

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2020

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No. 6906 of 2020

Naveen @ Dhayalan ... Petitioner/ Single Accused.

..Vs..

The State,
Rep. By the Sub-Inspector of police,
Sulur Police Station,
Sulur, Coimbatore.
(In FIR NO.181 of 2020) ... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of the Criminal Procedure Code, seeking to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No.181 of 2020 on the file of the Sub-Inspector of Police, Sulur Police Station, Sulur, Coimbatore.

For Petitioner : M/s. M.R. Thangavel

For Respondent : M.Mohammed Riyaz,
APP in both Crl.OPs

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offense under Section 306 of IPC, in Crime No.181 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the relative of the deceased girl. The petitioner is set to have questioned the deceased on the ground that she travelled with some other boy and the petitioner is said to have verbally abused the deceased in front of the college where she was studying. This resulted in the deceased taking the extreme step of committing suicide.

3.The learned Counsel for the petitioner submitted that even if the complaint is taken as it is, no offense under Section 306 of IPC is made out.

4. Mr.Mohammed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that it was only due to the verbal abuse made by the petitioner in front of the students belonging to the collage where the deceased was studying, the deceased had taken extreme step of committing suicide by consuming poison.

5. Taking into consideration the facts and circumstances of the case and the reasons stated herein above, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Sulur, Coimbatore, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner is directed to appear before the respondent police on Monday, Wednesday and Friday 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 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 person thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

10/06/2020

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,
NO.II, SULUR, COIMBATORE

2 THE ADDL.PUBLIC
PROSECUTOR ,HIGH COURT, MADRAS.

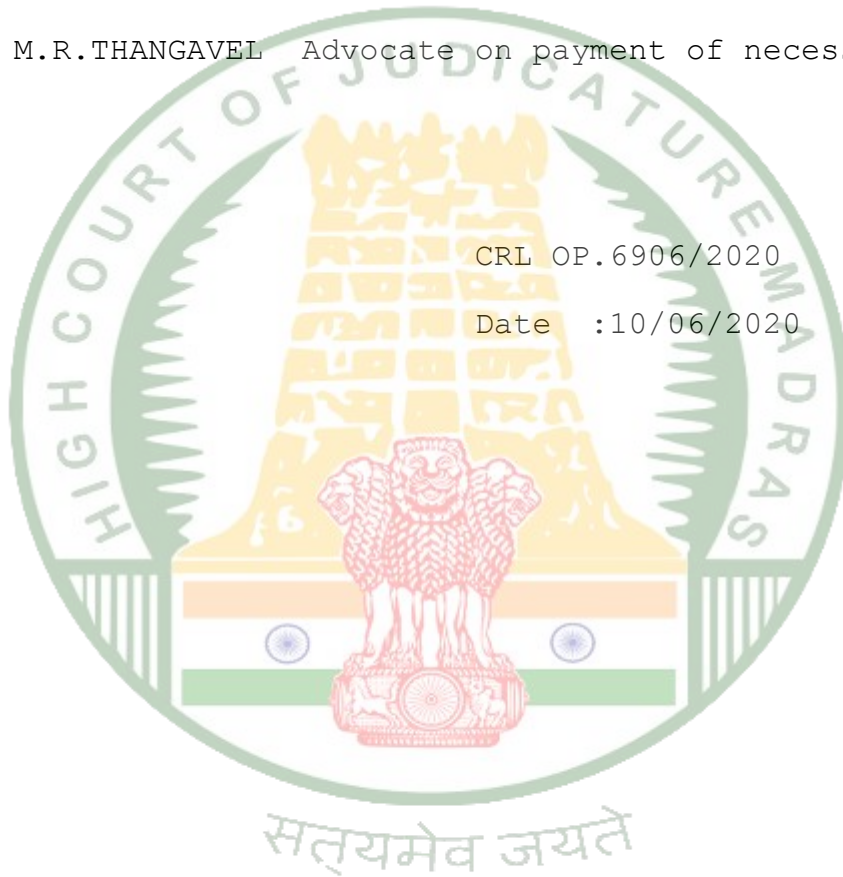
3 SUB INSPECTOR OF POLICE,
SULUR POLICE STATION,
SULUR COIMBATORE DISTRICT

CC to M/S. M.R.THANGAVEL Advocate on payment of necessary
charges

CRL OP.6906/2020

Date :10/06/2020

rd 09/07/2020



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