

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.15012 of 2020

S.P.Senthil

... Petitioner

Vs.

State Rep. By
The Inspector of Police
F-1 Chintadripet Police Station,
Chennai.
(Crime No.693 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail pending investigation in Crime No.693 of 2020 on the file of the respondent police.

For Petitioner : Mr.V.Karthick, Senior Counsel
for S.Panneer Selvam

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

When the matter was taken up for hearing, the learned Senior Counsel appearing for petitioner would submit that as stated earlier, without prejudice to the contention, the Management has paid an amount of Rs.10 lakhs towards exgratia and a sum of Rs.84,674/- towards arrears of salary and other dues by way of demand draft. He would further submit that the defacto complainant has received the demand drafts and she has also encashed those demand drafts. He would further submit that the Management is also taking steps to settle other statutory dues and the terminal benefits to the family of the deceased. He would further reiterate that the petitioner is a Superior Officer and in any event, directing the employee to go to another division to work, cannot be taken as an offence of abetment of suicide.

2. Heard the Counsels on either side.

3. In view of the above facts and submissions of the learned Senior Counsel that a substantial amount has been paid to the family of the deceased towards exgratia and arrears of salary and that steps are being taken by the petitioners' company to settle

the statutory dues and the terminal benefits to the family of the deceased, the **interim bail granted to the petitioner by order dated 28.09.2020, is made absolute** subject to the following conditions;

(a) Accordingly, the petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a likesum to the satisfaction of the **learned XIV Metropolitan Magistrate, Egmore, Chennai**, failing which the bail granted by this Court shall stand dismissed automatically;

(b) 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;

(c) **the petitioner shall report before the respondent police as and when required for interrogation.**

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond during trial;

(f) the petitioner shall not tamper with evidence or witness during trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-

19/11/2020

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 METROPOLITAN MAGISTRATE NO.XIV,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE JAILER,
SUB JAIL, SAIDAPET.

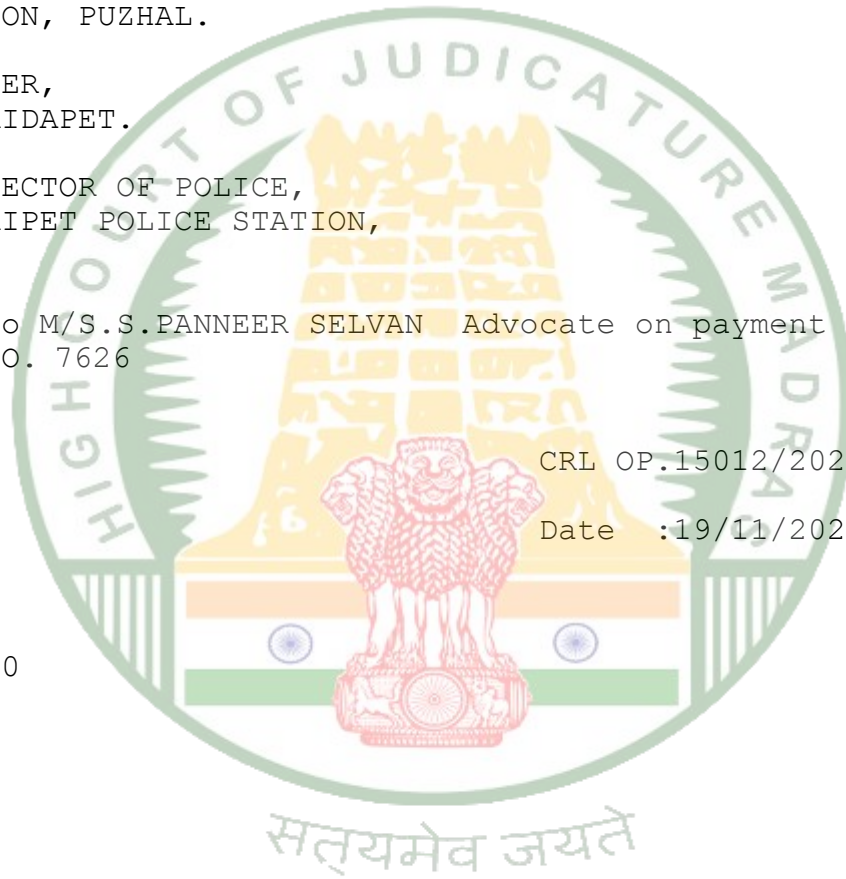
6 THE INSPECTOR OF POLICE,
F-1 CHINTADRI PET POLICE STATION,
CHENNAI.

+1 CC to M/S.S.PANNEER SELVAN Advocate on payment of necessary
charges SR NO. 7626

CRL OP.15012/2020

Date :19/11/2020

MN-23/11/2020



WEB COPY