

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.6899 of 2020

1.S. Annamalai @ Baskar
2.A. Sivachandiran

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Grand Bazaar Police Station,
Puducherry.
(Crime No.31/2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail pending investigation in Cr.No.31 of 2020, on the file of the respondent police.

For Petitioners: Mr. K.V.Sridharan

For Respondent : Mr.V.Balamurugan,
PP (Pondicherry)

ORDER

(The case has been heard through video conference)

Petitioners, who were arrested and remanded to judicial custody on 07.03.2020 for the offence punishable under Section 306 of IPC r/w. Section 34 of IPC in Crime No.31 of 2020, seeks bail.

2. Totally, there are four accused and the petitioners are A1 and A3. The allegation is that the deceased Kanagasabai borrowed loan from the accused persons and since he could not repay the same, the accused persons pressurized him to repay the said loan or to transfer his house property in their favour and not able to bear the said pressure, he committed suicide by consuming poison.

3. Earlier, this Court, by an order dated 01.04.2020 granted interim bail to the petitioner.

4. Today, when the matter is taken up for hearing, the learned counsel for the petitioner would submit that the the

petitioners are complying the condition regularly. Investigation in this case is almost completed.

5.The learned Additional Public Prosecutor would submit that the deceased borrowed money from the petitioners and since they pressurized to repay the amount, he committed suicide.

6. Considering the facts and circumstances of the case, interim bail already granted to the petitioners by this Court on 01.04.2020, is made absolute subject to the following conditions:

[a] Accordingly, the petitioners are directed to surrender on condition to 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 learned Chief Judicial Magistrate, Puducherry, and on further conditions that:

[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 petitioners shall report before the respondent police as and when required for interrogation;

[d] the petitioners shall not commit any offences of similar nature;

[e] the petitioners shall not abscond either during investigation or trial;

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

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

7. With the above directions, this Criminal Original Petition is ordered.

-sd/-
04/02/2021

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 CHIEF JUDICIAL MAGISTRATE,
PUDUCHERRY

2 THE JUDICIAL MAGISTRATE,
PUDUCHERRY.

3 THE PRINCIPAL SESSIONS JUDGE,
(CHIEF JUDGE), PUDUCHERRY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, KALAPET,
PUDUCHERRY.

5 THE INSPECTOR OF POLICE,
GRAND BAZAAR POLICE STATION,
PUDUCHERRY.

6 THE PUBLIC PROSECUTOR,
PUDUCHERRY. सत्यमेव जयते

+1 CC to M/S. K.V.SRIDHARAN Advocate on payment of necessary
charges SR NO. 1134

CRL OP.6899/2020

Date :04/02/2021

MN-05/02/2021