

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.7098 of 2021

1. Praveen Kumar ... Petitioners
2. Sridhar
3. Dhanalakshmi

Vs.

The State Rep by ... Respondent
The Sub Inspector of Police,
Muthupettai Police Station,
Thiruthuraipoondi Taluk,
Thiruvarur District
Cr.No.245 of 2021.

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail in Crime No.245 of 2021 pending investigation on the file of the respondent.

For Petitioners : Mr.V. Kasinatha Bharathi

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioners who were arrested on 13.03.2021 and remanded to judicial custody for the offences under Section 306 of I.P.C in Cr.No.245 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the first petitioner married the deceased Sandhya. Thereafter, the first petitioner along with the other petitioners demanded dowry and ill-treated the deceased. Due to which the deceased committed suicide. Hence, the law enforcing agency registered a case against the petitioners.

3. The learned counsel for the petitioners submit that the petitioners have not committed any offence and they have been falsely implicated in this case. Further, the petitioners have been in jail from 13.03.2021. Therefore, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor vehemently opposed the grant of bail by stating that the first petitioner is the husband
<https://hcservices.ecourts.gov.in/hcservices/>

of the deceased and the second and third petitioners are in-law of the deceased. She further submits that the petitioners demanded dowry and ill-treated the deceased, due to which the deceased committed suicide. She further submits that investigation is almost completed.

5. Taking into consideration the fact that investigation is almost completed and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Thiruthuraipoondi** and on further condition that:

(a) 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 10.30 a.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 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]**; and;

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

-sd/-

30/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,
THIRUTHURAIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUTHURAIPOONDI TALUK,
THIRUVARUR DISTRICT.

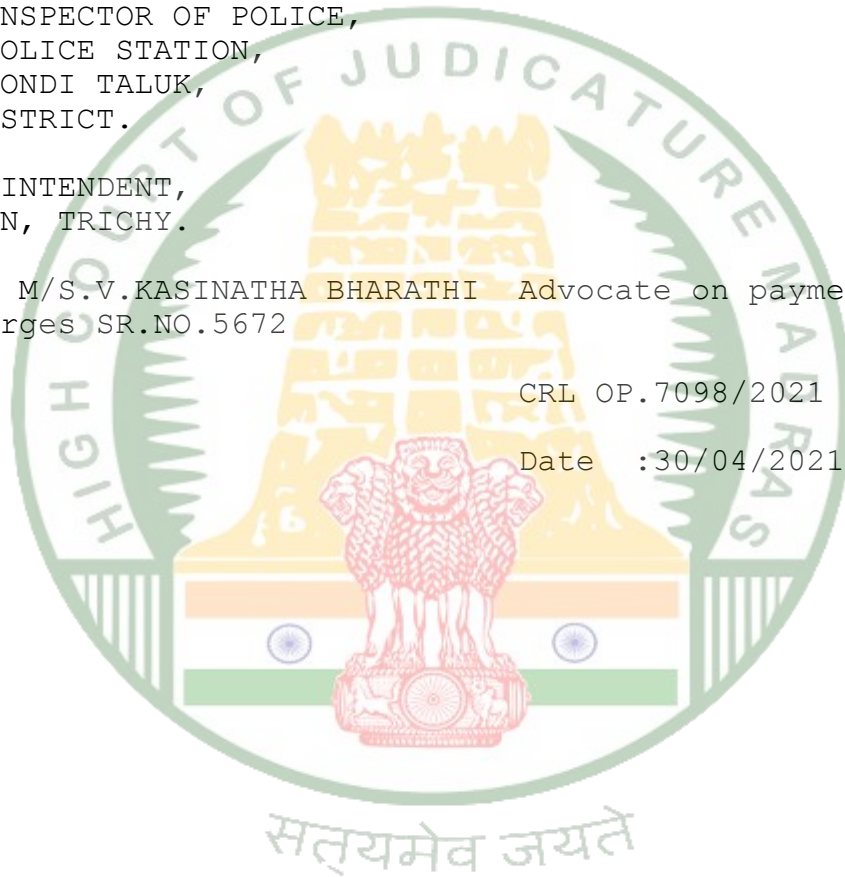
5 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

+1 CC to M/S.V.KASINATHA BHARATHI Advocate on payment of
necessary charges SR.NO.5672

CRL OP.7098/2021

Date :30/04/2021

TA-03/05/2021



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