

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.05.2021

CORAM :

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.8418 of 2021

Logu Prabhakaran

.. Petitioner

Vs.

The Inspector of Police
N-3, Puzhal Police Station
Chennai- 600 092.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.121 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Sridhar

For Respondent : Mr.Charles Premkumar
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2. The petitioner was arrested and remanded to judicial custody on 14.04.2021 for the alleged offences under Section 498(A) and 306 IPC in Crime No.121 of 2021. He seeks bail.

3. The marriage between the petitioner and the deceased took place on 27.01.2021. The petitioner's wife committed suicide on 13.04.2021. The case of the prosecution is that due to dowry demand and cruelty committed on her, the deceased committed suicide.

4. The learned counsel for the petitioner has placed materials to show that the possibility of demand for buying a car or two wheeler did not really arise because the petitioner had already purchased those items even before marriage. The learned counsel for petitioner submitted that the deceased does not appear to have been interested in getting married and that on compulsion of her family members, she got

married and due to depression she committed suicide. This Court is of the view that the continued incarceration of the petitioner is not going to serve any purpose. Hence, Bail is granted to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Madhavaram 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 petitioner shall not commit any offences of similar nature;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) 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];

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

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

सत्यमेव जयते

-sd/-

06/05/2021

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

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TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
MADHAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVALLUR [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
N-3, PUZHAL POLICE STATION,
CHENNAI-600 092.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

+2 CC to M/S.M.SRIDHAR Advocate on payment of necessary charges
SR.NO. 5955

CRL OP.8418/2021

Date :06/05/2021

MN-07/05/2021

सत्यमेव जयते

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