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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.10595 of 2021

Murugan @ Velmurugan

... Petitioner

Vs.

The State Rep by
Sub - Inspector of Police,
Desur Police Station,
Tiruvannamalai District.
(Crime No.54 of 2021)

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to grant anticipatory bail to the petitioner in the event of arrest or on his appearance before any court in connection with the case in Crime No.54 of 2021 pending investigation on the file of the respondent police herein.

For Petitioner : Mr.S.Panneer Selvam

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. Side)

ORDER

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Section 174 of Cr.P.C. and thereafter altered to Section 306 of I.P.C. in Cr.No.54 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have developed one side love towards the defacto complainant's daughter and started to torture her over phone, due to which she committed suicide.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner did not give any torture to the deceased but due to the torture given by her parents the deceased committed suicide.



4.The learned Government Advocate (Criminal Side) submitted that investigation reveals that the petitioner developed one side love towards the deceased but she refused to accept the same, however, her parents did not believe her.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vandavasi, on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(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]; and;

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

-sd/-
23/06/2021

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

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1 THE JUDICIAL MAGISTRATE,
VANDAVASI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI DISTRICT [FOR INFORMATION]

3 SUB-INSPECTOR OF POLICE,
DESUR POLICE STATION,
TIRUVANNAMALAI DISTRICT. .

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. S.PANNEER SELVAM Advocate on payment of necessary
charges

CRL OP.10595/2021

Date :23/06/2021

JPA 16/07/021