



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.12751 of 2021

Thirunavukarasu

... Petitioner

Vs.

The State Represented by :-
Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram District.
Crime No.1305 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., praying to enlarge the petitioner/accused on bail in connection with the crime No.1305 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.A.Gopinath
Government Advocate(Crl. side)

ORDER

The petitioner who was arrested on 21.06.2021 and remanded to judicial custody for the offence under Section 306 of IPC in Crime No.1305 of 2021, on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner is the accused and the deceased is the wife in this case and the defacto complainant is the mother of the deceased. The petitioner and the deceased Hari Priya got married during the year 2013 and out of the wedlock, they blessed with three children. The petitioner is a lorry driver by profession and he was not regular in his work. Thereby, frequent quarrel arose between the couple. On 20.06.2021, due to the wordy quarrel between them for not going to employment, the deceased Hari Priya alleged to have consumed poison and died. Based on the complaint lodged by the defacto complainant, who is the mother of the deceased, the respondent police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is nothing to do with the offence. The learned counsel for the respondent stated by the prosecution and the petitioner has



to take care of his three children and he is in custody from 21.06.2021. Hence, he learned counsel prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that investigation has been completed.

5.Considering the facts and circumstances of the case, the petitioner having been under incarceration in prison from 21.06.2021, this Court is inclined to grant bail to the petitioner with following conditions:

6.Accordingly, the petitioner is 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-II, Thiruvallur 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 petitioner is directed to appear before the respondent police daily morning at 10.30 am until further orders;

(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 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]**; and;

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

-sd/-
23/07/2021

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 JUDICIAL MAGISTRATE,
NO.II, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KANCHI TALUK POLICE STATION,
KANCHIPURAM DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL, KANCHIPURAM.

CC to M/S T.MURUGANANTHAM Advocate on payment of necessary
charges

CRL OP.12751/2021

Date :23/07/2021

TA-26/07/2021