



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.13314 of 2021

Govindaraj

.. Petitioner

Vs.

State Rep. By
The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur.
Cr.No.415 of 2021.

.. Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in the aforesaid Crime No.415 of 2021 on the file of the respondent police.

For Petitioner : Mr.D.Murugan

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

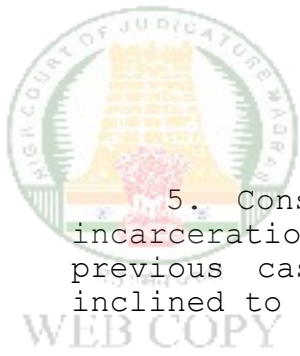
ORDER

The petitioner who was arrested on 05.07.2021 and remanded to judicial custody for the offences punishable under **(*)Section 498(A) and 306 of IPC** in Crime No.415 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner's son and the deceased married each other. Subsequently, the family members of the petitioner harassed the deceased by demanding dowry. Due to which, the deceased committed suicide by pouring kerosene. Hence the complaint was registered.

3.The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 05.07.2021. Therefore, he prays to grant bail to the petitioner.

4.The learned Government Advocate (CrI.Side) submits that there is no previous case as against the petitioner. However, he vehemently opposed for grant of bail to the petitioner.



5. Considering the age of the petitioner and the period of incarceration suffered by the petitioner and also there is no previous case pending as against the petitioner, this Court is inclined to grant bail to the petitioner with certain 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, each for a like sum to the satisfaction of the Judicial Magistrate, Uthukotai, 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 shall report before the respondent police, daily at 10.30 a.m. 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 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/-
02/08/2021

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.



(*) AMENDED AS PER ORDER OF THIS COURT DATED 23/08/2021 MADE IN
CRL.MP.No.8236 OF 2021 IN CRL.O.P.No.13314 OF 2021

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE,
UTHUKOTAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PERIYAPALAYAM POLICE STATION,
TIRUVALLUR

4 THE SUPERINTENDENT
CENTRAL PRISON,
PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.MURUGAN Advocate on payment of necessary charges

CRL OP.13314/2021

Date :02/08/2021

RW 03/08/2021

RW 14/09/2021