



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.15242 of 2021

K.Bala

... Petitioner

Vs.

State rep. by
The Inspector of Police,
K-2 Aynavaram Police Station,
Teynampet,
Chennai.
(CRIME No.412/2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.412 of 2021 on the file of the respondent police.

For Petitioner	: M/s.Thanga Vadhana Balakrishnan
For Respondent	: Mr.A.Gopinath Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested for the offence under Section 174(3) of Cr.P.C. later altered to Section 306 of I.P.C. in Crime No.412 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that there were frequent quarrel inbetween the petitioner family and his wife, 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. Infact for the welfare and interest of the deceased, separate family was set up, however, she committed suicide and further submitted that the petitioner has to take care of the three year old child.

4.The learned Government Advocate (Criminal Side) submitted that the petitioner is the husband of the deceased and is alleged to have



raised quarrel with her frequently, due to which, she committed suicide.

5. Considering the fact that the petitioner has to take care of the three year old child and the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner.

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 V Metropolitan Magistrate at Egmore, Chennai 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. 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 petitioners 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];

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

-sd/-

25/08/2021

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.



TO

1 THE METROPOLITAN MAGISTRATE NO.V,
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K-2, AYNAVARAM POLICE STATION,
TEYNAMPET, CHENNAI

4 THE OFFICER INCHARGE
SUB JAIL, CHENGALPATTU

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S THANGA VADHANA BALAKRISHNA Advocate on payment of
necessary charges SR.No.9090

CRL OP.15242/2021

Date :25/08/2021

APN 26/08/2021