



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty First day of October Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18015 of 2021

1 VIGNESH
2 SUBRAMANIYAM
3 JAYALAKSHMI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NANNILAM POLICE STATION,
TIRUVARUR.
(CRIME NO.776/2021)

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.V.CHELLAMMAL Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence punishable under Section 174(3) of Cr.P.C @ 306 of IPC in Crime No.776 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner was in love with Ranjitha/deceased and their marriage was performed in the year 2017 and they had a male child. Due to severe torture given by the in-laws/2nd and 3rd petitioners, the deceased committed suicide by hanging. Hence, the complaint.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the deceased has committed suicide in her parental house . Now, the the first petitioner is having responsibility for taking care of his 1½ year male child. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submits that initially the complaint was lodged under Section 174(3) of Cr.P.C and later altered into one under Section 306 of IPC. He further submits that due to severe torture given by the petitioners, the deceased has committed suicide by hanging.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and no serious allegations have been levelled against the petitioners and also taking into consideration that the 1st petitioner has to take care of his 1½ year male child, this court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif-Cum-Judicial Magistrate, Nannillam on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten thousand Only) each, 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 petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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.

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-sd/-
21/10/2021

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 DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,
NANNILAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVARUR DISTRICT (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
NANNILAM POLICE STATION,
TIRUVARUR.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.V.CHELLAMMAL Advocate on payment of necessary charges SR.NO.11722

CRL OP.18015/2021

Date :21/10/2021

INBA-28/10/2021