



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21909 of 2021

1. Thirumurugan .. Petitioners
2. Nathiya

Vs.

Station House Officer, .. Respondent
Karuveppilankurichi Police Station,
Cuddalore District.
(Crime No.461 of 2021)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest in connection with Crime No.461 of 2021, pending investigation, on the file of the Inspector of Police.

For Petitioners : Mr.R.Veeramani

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b) and 306 of IPC in Cr.No.461 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that defacto complainant's daughter-in-law/deceased was a member of the Ladies Self-help group. She had taken a loan from the said group and not repaid the loan. The second petitioner is the leader of the said group. On the day in question, she had demanded the deceased to repay the loan. Due to which, the deceased had committed rat poison and succumbed to injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners have not been committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl side) submits that the investigation is almost completed.

5. Considering the submissions made by both counsel and also considering the fact that the investigation is almost completed, 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 Judicial Magistrate No.II, Virudhachalam** 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 first petitioner shall report before the respondent police on every wednesday at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation and the second petitioner shall report before the respondent police as and 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.

WEB COPY

-sd/-
22/11/2021

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, VIRUDHACHALAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER
KARUVEPPILANKURICHI POLICE STATION,
CUDDALORE DISTRICT.

+1 CC to M/S. R.VEERAMANI Advocate on payment of necessary charges SR.NO.13229

CRL OP.21909/2021

Date :22/11/2021

TA-26/11/2021