



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Third day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.3848 of 2022

AND CRL.MP.NO.2035 of 2022

D.NAKKEERAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
H-4, KORUKUPET POLICE STATION,
CHENNAI 600021.
(CRIME NO.1580 of 2021)

[RESPONDENT]

SHANTHI

[PETITIONER/INTERVENER]

[ORDERED AS PER ORDER OF THIS COURT DATED :03/03/2022 MADE IN
CRL.MP.NO.2035/2022 in CRL.OP.NO.3848/2022]

For Petitioner : M/S.S.PRABUDOSS Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

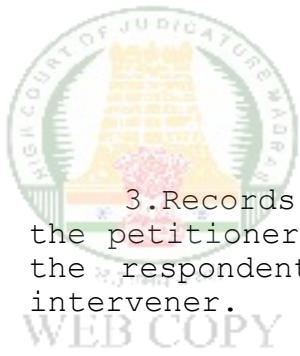
For Intervenor : MR.S.SASIDARAN Advocate

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest by the respondent police for the offences punishable under Section 174 Cr.P.C. @ 306 of IPC, in Crime No.1580 of 2021 is before this Court seeking anticipatory bail.

2.The case of the prosecution is that the petitioner is the husband of the deceased and it is alleged that the petitioner harassed the deceased due to which, she committed suicide by hanging. Hence the case.



3. Records perused and heard the learned counsel appearing for the petitioner, learned Government Advocate (Crl. Side) appearing for the respondent Police and the learned counsel appearing for the intervener.

4. The petitioner herein is the husband of the deceased, who had committed suicide. The statement of the deceased son has been recorded by the learned Magistrate under Section 164 of Cr.P.C. He is the person who was in the house, when the deceased went inside the room and committed the suicide. There is no serious implication against the petitioner herein.

5. Considering the facts, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned XV Metropolitan Magistrate, George Town, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which, the anticipatory bail shall stand cancelled and on further condition that:

(a) the petitioner 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 petitioner shall report before the Investigation Officer as and when required.

(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/-

03/03/2022

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 XV METROPOLITAN MAGISTRATE
GEORGE TOWN, CHENNAI.

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

3 THE INSPECTOR OF POLICE
H-4, KORUKUPET POLICE STATION,
CHENNAI 600021.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.3848/2022

AND

CRL.MP.2035/2022

Date :03/03/2022

CSK 14/03/2022