



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.6000 & 6490 of 2022

WEB COPY

Amsakala .. Petitioner in Crl.O.P.No.6000 of 2022

Sathish Kumar .. Petitioner in Crl.O.P.No.6490 of 2022

Vs.

The State rep. by
The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.
(Crime No.148 of 2022)

.. Respondent in both the Crl.O.P's

COMMON PRAYER: Criminal Original Petitions have been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail concerned in Crime No.148 of 2022 on the file of the Inspector of Police, Annamalai Nagar Police Station, Cuddalore District.

For Petitioner in both the Crl.O.Ps : Mr.C.Prabakaran

For Respondent in both the Crl.O.Ps : Ms.G.V.Kasthuri
Additional Public Prosecutor

COMMON ORDER

The petitioners, who were arrested on 09.02.2022 for the offences punishable under Sections 174(3) of Cr.P.C. altered into 304 (B) and 498(A) of IPC in Crime No.148 of 2022, on the file of the respondent police, seek bail.

2. The petitioners are the husband and the mother of the deceased Radhika Priya, who has committed suicide by hanging. The marriage between the first accused and the deceased took place on 10.09.2021. The post mortem report indicates that the deceased was four months pregnant. According to the prosecution, due to demand of dowry, the deceased has committed suicide. The 161 statement of the witnesses and the RDO enquiry indicates that during the marriage, there was demand of dowry and thereafter, the first accused and the deceased were living happily and regarding conducting the ceremony of the



fifth month pregnancy, both the families were under discussion. At that juncture, the deceased has committed suicide. From the reading of 161 statement and the RDO enquiry, this Court finds that there was no dowry demand soon before the death and in fact, the deceased has called her mother few hours before committing suicide and casually discussed the family matters.

4. Considering the above said fact, this Court is inclined to grant bail to the petitioners subject to certain conditions. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions;

(a) Each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Chidambaram.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioners are directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-

28/03/2022

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 JUDICIAL MAGISTRATE,
NO. I, CHIDAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

4 THE INSPECTOR OF POLICE
ANNAMALAI NAGAR POLICE STATION,
CUDDALORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.C.PRABAKARAN Advocate on payment of necessary
charges SR.NOs.4592 & 4593

CRL OP.NOs.6000 & 6490/2022

Date :28/03/2022

RW 28/03/2022