



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

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN  
CRIMINAL ORIGINAL PETITION No.7053 of 2022

N.V.SELVAKUMAR COMMONLY CALLED AS KUMAR

[PETITIONER/ACCUSED]

Vs

THE INSPECTOR OF POLICE  
PERNAMPET POLICE STATION,  
VELLORE DISTRICT 635 810  
CRIME NO. 94/2021

[ RESPONDENT ]

For Petitioner : M/S.GANESH AND GANESH Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 354, 506(ii) (\*) and 302 of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.94 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. This petitioner apprehends arrest in Crime No.94 of 2021, since the deceased has mentioned his name in the dying declaration. However the immediate cause for the death as it appears from the First Information Report and dying declaration is that one Abdul Rahman, who lends money to defacto complainant, had seized her vehicle and scolded her to commit suicide. Thereafter she has committed suicide by pouring Petrol on herself. Only in the later part of the dying declaration she has referred some money transaction.

3. Considering the fact that there is no overt act attributed to this petitioner regarding immediate cause for the death of the deceased person, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. 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 Judicial Magistrate, Gudiyatam on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), 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) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the respondent police as and when required;

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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



(\*) BEING MENTION AND TIME IS EXTENDED FOR A PERIOD OF SEVEN DAYS FROM THE DATE OF RECEIPT OF COPY OF THIS ORDER TO COMPLY WITH THE CONDITIONS STATED THEREIN, ORDERED AS PER ORDER OF THIS COURT DATED 18/04/2022

TO

1 THE JUDICIAL MAGISTRATE,  
GUDIYATHAM

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE  
PERNAMPET POLICE STATION,  
VELLORE DISTRICT 635 810

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+2 CC to M/S.GANESH AND GANESH Advocate on payment of necessary charges Sr.5728

CRL OP.7053/2022

Date :28/03/2022

RVR 31/03/2022

RVR 20/04/2022