



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on :07.04.2022

Pronounced on :11.04.2022

CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.8125 of 2022

1.Karthik
2.Prashanth

.. Petitioners

/versus/

State by Inspector of Police,
N-1, Royapuram Police Station,
Royapuram,
Chennai.
(Crime No.139 of 2022)

.. Respondent

Criminal Original Petition has been filed under Section 439 of Cr.P.C., praying to enlarge the petitioners on bail concerned in Crime No.139 of 2022 pending on the file of the respondent.

For Petitioner : Mr.M.P.Sathya Murthy

For Respondent : Mrs.G.V.Kasthuri,
Additional Public Prosecutor
(Crl.Side)

ORDER

The petitioners, who was arrested and remanded into the judicial custody on 16.03.2022 for the alleged offences punishable under Section 174 Cr.P.C and later altered into Section 306 of IPC in Crime No.139 of 2022 on the file of the respondent police, seek bail.

2.On 14.03.2022, Mahar Ali and his wife Pargath Nisha were found dead by hanging in their house. Hence, case was registered by the respondent police in Crime No.139 of 2022 under Section 174 of Cr.P.C., based on the complaint given by the father of the deceased Pargath Nisha.



3.The petitioners were arrested since Mahar Ali the deceased has left a suicide note alleging that he is unable to bear the pressur of financiers and other vehilce owners, who have given vehicle to him on rental basis and in turn, he has given his vehicle and others vehicle to one Sundaram. Based on his promise, he will pay Rs.5,000/- p.m for each vehicle, but failed to keep his promise, which has resulted in mental agony and pressure from the other vehicle owners to whom he is responable to answer. These petitioners name along with one Sundaram also find in the suicide note as persons cause for his death.

4.The materials placed before this Court indicates that the said Sundaram deceived the deceased person, after getting 10 vehicles from him on a promise that he will pay Rs.5,000/- per month for each vehicle.

5.This Court, from the suicide note finds that the prime accusation is made only against one Sundaram and these petitioners claim to be his associates. In view of the above fact, this Court is inclined to grant bail to the petitioners.

6.Accordingly, the petitioners are ordered to be relased 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)each, with two sureties, each for a like sum to the satisfaction of the learned III Metropolitan Magistrate, George Town, Chennai;

(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 report before the Investigating Officer as and when required for interrogation;

(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 petitioner 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 v. State of Kerala [(2005) AIR SCW 5560];

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

-sd/-
11/04/2022

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 METROPOLITAN MAGISTRATE,
NO.III, GEORGE TOWN, CHENNAI.

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

3 THE INSPECTOR OF POLICE
N-1, ROYAPURAM POLICE STATION,
ROYAPURAM, CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.P.SATHYA MURTHY Advocate on payment of necessary charges SR.NO.5547

CRL OP.8125/2022

Date :11/04/2022

JPA 11/04/2022