



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

Friday, the Twenty Ninth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.10365 of 2022

LOHIT SAI

[PETITIONER / ACCUSED]

Vs

STATE REP BY INSPECTOR OF POLICE,
KK NAGAR POLICE STATION,
CHENNAI.
(CRIME NO.81/2022)

[RESPONDENT]

For Petitioner : M/S.KV LAW FIRM Advocate

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

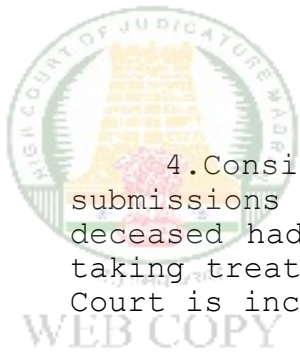
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner herein apprehends arrest by the respondent police for an offences under Section 174 (3) of Cr.P.C in Crime No.81 of 2022 on the file of the respondent police seeks anticipatory bail.

2.The petitioner herein is the husband of the deceased / Rajalakshmi, they got married on 06.09.2020. While so, on 03.03.2022 the petitioner herein has taken the deceased to SIMS Hospital in an unconscious state alleging that she had self injected Succinyl Chlorine one bottle/vial at about 5.45 p.m at her residence and she died on 05.03.2022 due to severe brain stem dis-function. The petitioner herein was called for an enquiry by the police in view of the investigation about the unnatural death of Rajalakshmi apprehending arrest by the petitioner before this Court seeking anticipatory bail.

3.The learned Government Advocate (Crl.side) clearly states that it is unnatural death and it has been reported that the deceased has self injected over dose of medicine and both the deceased as well as the petitioner herein are doctors by profession and he is called for an enquiry to ascertain the real cause for the alleged injection leading to death of Rajalakshmi.



4. Considering the said facts and on perusal of the record and submissions made by the counsel for the petitioner contending that deceased had been suffering from Borderline personality disorder and taking treatment and there was few suicide attempts made by her, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on anticipatory 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 XXIII Metropolitan Magistrate, Saidapet, 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 concerned and on further conditions 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 daily at 10.30 a.m., until further orders;

(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 is 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/-

29/04/2022

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 XXIII METROPOLITAN MAGISTRATE
SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
KK NAGAR POLICE STATION, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.KV LAW FIRM Advocate on payment of necessary charges
Sr.6621

CRL OP.10365/2022

Date :29/04/2022

RVR 05/05/2022