



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13006 of 2022

SURESH

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
P4, BASIN BRIDGE POLICE STATION,
PULIANTHOPE,
CHENNAI.
CRIME NO.269 OF 2022.

[RESPONDENT]

For Petitioner : M/S. M.SARAVANAN Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

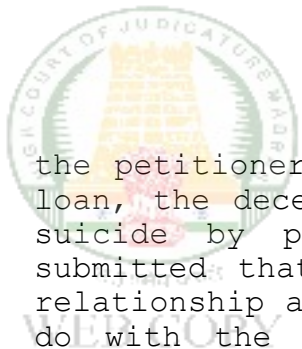
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448, 506 (i), 306 of I.P.C. r/w Section 3 of TNP CHARGING EXTORBITANT INTEREST ACT, 2003, in Crime No.269 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that one Chitra who is the deceased herein borrowed a sum of Rs.7,00,000/- (Rupees Seven Lakhs Only) from the petitioner's parents. Due to which the petitioner's parents demanded the deceased to repay the borrowed amount. On 05.05.2022, the petitioner committed suicide by pouring kerosene on her and set fired. Thereafter, the deceased was taken to KMC and subsequently she died on 24.05.2022. Hence, the complaint.

3. The learned counsel for the petitioner would submit that there are totally five accused persons, in which the petitioner is arrayed as A-3. The deceased namely one Chitra borrowed a hand loan for a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) from A-1 and A-2. Thereafter, the deceased failed to repay the said amount. Whenever



the petitioner's parents i.e., A-1 and A-2 demanded for repayment of loan, the deceased failed to pay any amount. While so, she committed suicide by pouring kerosene on her and set fired. He further submitted that as far as the petitioner is concerned except, the relationship as son of the first and second accused he has nothing to do with the alleged offence as alleged by the prosecution. That apart, A1 and A2 were already arrested and remanded under judicial custody on 08.05.2022. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that there was totally five accused persons. The petitioner is arrayed as A-3 who is also the son of A-1 and A-2. He further submitted that the petitioner was also present at the time of demanding money from the deceased, due to continuous torture from the family members of the petitioner, the deceased committed suicide by pouring kerosene on her and set fired. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen from the FIR that as far as the petitioner is concerned except the relationship as son of A-1 and A-2, there is no specific overt- act between the petitioner and the deceased. According to the case of prosecution, the petitioner was also present along with other family members at the time of demanding money from the deceased. That apart, A-1 and A-2 were already arrested and remanded under judicial custody. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned X Metropolitan Magistrate, Egmore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.



[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
08/06/2022

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.X, EGMORE,

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

3 THE INSPECTOR OF POLICE,
P4, BASIN BRIDGE POLICE STATION,
PULIANTHOPE, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. M.SARAVANAN Advocate on payment of necessary charges SR.NO.8627

CRL OP.13006/2022

Date :08/06/2022

JPA 13/06/2022