



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.13206 of 2022

Sathiyaraj

.. Petitioner

Vs.

The State Rep. by
The Sub-Inspector of Police,
Thellar Police Station,
Thellar,
Tiruvannamalai District

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.30 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.05.2022 for the offence punishable under Section 174(3) of Cr.P.C. @ 306 of IPC in crime No.30 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner, who is the husband of the deceased, along with his mother used to scold her on demand of dowry. Therefore, on 24.03.2022, the deceased committed suicide by hanging herself. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the petitioner is the husband of the deceased. Their marriage was solemnized in the year 2019 and out of the wed lock, a female baby was born. On the date of occurrence, there was a quarrel between them, due to which she committed suicide by hanging herself. Hence, he vehemently objected for grant of bail to the petitioner.

5.It is seen that the petitioner got married the deceased and gave birth to a child. While being so, on the date of occurrence, there was a quarrel between them, due to which the deceased committed suicide by hanging herself. On perusal of the report submitted by the Revenue Divisional Officer, revealed that there was no dowry demand and the petitioner had illegal intimacy with another woman and as such she committed suicide.

6.Considering the above facts and circumstances of the case and the period of incarceration by the petitioner from the date of his arrest i.e. 01.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Vandavasi and on further conditions that:

[a] 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. and 05.30 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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.

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-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 JUDICIAL MAGISTRATE,
VANDAVASI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI DISTRICT

3 THE SUB INSPECTOR OF POLICE,
THELLAR POLICE STATION,
THELLAR, TIRUVANNAMALAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.B.JAWAHAR Advocate on payment of necessary charges

CRL OP.13206/2022

Date :08/06/2022

JPA 09/06/2022