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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE A. A. NAKKIRAN

Crl.O.P.No. 13723 of 2022

Ramesh

... Petitioner

Versus

The State;
Represented by its Inspector of Police,
Avadi Police Station,
Thiruvallur District,
[Crime No. 297 of 2022]

... Respondent

Criminal Original Petition filed under Section 439 of Cr.P.C praying to enlarge the Petitioner/Sole Accused on bail Crime No. 297 of 2022 on the file of Inspector of Police, Avadi Police Station, Thiruvallur District.

For Petitioner : Mr.S. Kingston Jerold

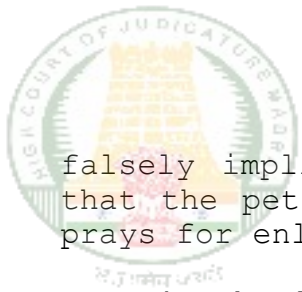
For Respondent : Mr.V. Meganathan
Government Advocate (Crl. Side)

O R D E R

The petitioner who was arrested on 05.04.2022 for the offence punishable under Sections 306, 506(ii) of IPC and under Section 43(a) (b) r/w 66 of the Information Technology Act, in Crime No. 297 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the victim girl were in love with each other and due a dispute that arose while marriage talks were going on, the victim committed suicide by hanging, resulting in the registration of the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and that he is no way connected with the crime. He would further submit that the petitioner has been



falsely implicated in this case. The learned counsel also submits that the petitioner is in custody for more than 72 days and hence, prays for enlargement of the petitioner on bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner threatened the victim girl when he found calls from unknown numbers and that the de-facto complainant, mother of the victim scolded the petitioner. However, the petitioner threatened the victim continuously by sending threatening voice messages and that the victim committed suicide only out of fear. He would further submit that four witnesses have been examined so far and further more five witnesses to be examined in this case and therefore, investigation is on. Hence, the learned Government Advocate vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the facts of the case and also the fact that the petitioner has incarceration for 72 days and part of the investigation is over, this Court is inclined to grant bail to the petitioner herein. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate - II, Poonamalle.

(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 petitioner is directed to report before the respondent police on every week i.e., on Sunday at 10.30 a.m. until further orders.

(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 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 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/-

16/06/2022

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,
NO.II, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 INSPECTOR OF POLICE,
AVADI POLICE STATION.
TIRUVALLUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.KINGSTON JEROLD Advocate on payment of necessary charges SR.NO. 9357

CRL OP.13723/2022

Date :16/06/2022

RW-17/06/2022