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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

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

CrI.OP.No.13970 of 2022

I.Pounpandi

..Petitioner

Vs.

The State of Tamilnadu,
though the
Inspector of Police,
Veerapandi Police Station,
Tiruppur
crime No.278 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.278 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.Deepan Uday

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.04.2022 for the offence punishable under Section 173(3) of Cr.P.C. altered into Section 306 of IPC in crime No.278 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the defacto complainant's daughter and the petitioner got married without their permission on 12.07.2020 and thereafter they were living in Tiruppur. The petitioner used to hit the victim by demanding dowry from the defacto complainant, for which the victim 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 prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the deceased is the wife of the petitioner. He demanded dowry and there was continuous harassment by the petitioner. Therefore, she committed suicide in the matrimonial home by hanging herself. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner from 01.04.2022, 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-IV, Tiruppur 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/-
17/06/2022

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-IV,
TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR.

4 THE OFFICER INCHARGE,
SUB JAIL, TIRUPPUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.DEEPAN UDAY Advocate on payment of necessary charges

CRL OP.13970/2022

Date :17/06/2022

CSK 20/06/2022