



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

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

CrI.OP.No.14096 of 2022

R.Ramesh

..Petitioner/A1

Vs.

State by
Inspector of Police,
Palladam Police Station,
Palladam
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.R.Karthik

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.05.2022 for the offence punishable under Section 174(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 contacted the defacto complainant over phone and informed that she consumed poison and she was admitted in Salem Government Hospital. On the next day, the defacto complainant went to the hospital and inquired about the incident with her son in law. He informed that from 12.03.2022 onwards, she was abnormal and on 15.03.2022, she consumed rat paste and immediately with the help of the petitioner, she was admitted in the hospital. On 21.03.2022 at 11.45 a.m., she died without effect of treatment. Hence, FIR was registered under Section 174(3) of Cr.P.C.

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 for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally three accused, in which the petitioner is arrayed as A1. A1 and deceased had illegal intimacy, wherein the deceased was already a married woman and A1 was already a married man. The same was questioned by the defacto complainant i.e. the mother of the deceased and also the husband of the deceased. Thereafter, A1 stopped to continue the affair with the deceased. Due to that mental agony, she consumed some poison and committed suicide.

5. It is seen that the petitioner is arrayed as A1. He had illegal intimacy with the deceased. Admittedly, the deceased and the petitioner were married persons. When it was questioned by the deceased's husband and mother, the petitioner stopped his relationship with the deceased. The husband and the mother of the deceased also questioned the same with the deceased. Therefore, she consumed some poison and died. Initially, the case was registered under Section 174(3) of Cr.P.C. and subsequently altered for the offence under Section 306 of IPC. A2 and A3 are father and mother of the petitioner herein and they were granted anticipatory bail by this Court. That apart, there was no instigation by the petitioner to commit suicide by the deceased.

6. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, 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 sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate at Palladam 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. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[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.

-sd/-

20/06/2022

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,
PALLADAM

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR (FOR INFORMATION)

3 INSPECTOR OF POLICE
PALLADAM POLICE STATION, PALLADAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
DISTRICT PRISON, TIRUPPUR

+2 CC to M/S.R.KARTHIK Advocate on payment of necessary charges
SR.NO.9637

CRL OP.14096/2022

Date :20/06/2022

RVR 21/06/2022