



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

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

Cr1.OP.No.14523 of 2022

Santhosh @ Santhosh Kumar

..Petitioner/sole accused

Vs.

State rep. by its
Inspector of Police,
Vellore Taluk Police Station,
Vellore District
crime No.127 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.127 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.R.Ravi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.05.2022 for the offence punishable under Section 174 of Cr.P.c. altered into Section 306 of IPC in crime No.127 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner and the deceased Gayathri Devi loved each other for the past seven years and subsequently, when the petitioner refused to marry the deceased, she committed suicide by hanging herself in her house on 28.04.2022. 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 occurrence took place on 28.04.2022. The petitioner and the deceased had love affair and subsequently, he refused to marry. Therefore, she committed suicide by hanging herself. Hence, he vehemently opposed to grant bail to the petitioner.

5. Even it is the case of the prosecution that the petitioner fell in love with the deceased and though the petitioner was ready and willing to marry the victim, due to her parents' objection she committed suicide. The petitioner was arrested and remanded to judicial custody on 16.05.2022.

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 blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Vellore 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.

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-sd/-

27/06/2022

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.I, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 INSPECTOR OF POLICE
VELLORE TALUK POLICE STATION,
VELLORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.R.RAVI Advocate on payment of necessary charges
SR.NO. 10026

CRL OP.14523/2022

Date :27/06/2022

RW-28/06/2022