



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14575 of 2022

P.APPUSAMY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
AMMAPETTAI, ERODE DISTRICT.
CR. NO.102/2022.

[RESPONDENT]

For Petitioner : M/S. C.PRAKASAM Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 of Cr.P.C later altered into Section 306 of IPC in Crime No.102 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that his daughter committed suicide and requested the respondent police to investigate about the same. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is the father-in-law of the deceased and also there was a dispute between them. Further, he alleged that the petitioner refused the deceased to go to his parents house, due to which, she committed suicide. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. It is seen that the deceased and the petitioner were living in the same house. The allegation against the petitioner is that he did not permit the deceased to go to her parents house, due to which, she committed suicide. That apart, there was no instigation committed by the petitioner. Therefore, the custodial interrogation of the petitioner is not required in this case and hence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate I, Bhavani, Erode, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

24/06/2022

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, BHAVANI, ERODE

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE(FOR INFORMATION)

3 INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
AMMAPETTAI, ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. C.PRAKASAM Advocate on payment of necessary charges

CRL OP.14575/2022

Date :24/06/2022

RVR 04/07/2022