



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14661 of 2022

1 R.SANKAR
2 S.VANAROJA
3 S.SIVARAMAN
4 S.SEETHA

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,
THIRUVANNAMALAI DISTRICT.
(CRIME NO.329/2022)

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S S.B.VISWANATHAN 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 petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 306 of IPC in Crime No.329 of 2022, seek anticipatory bail.

2. The case of the prosecution is that de-facto complainant's son Venkatesan borrowed a sum of Rs.30,000/- from the 1st petitioner, repaid Rs.10,000/- to him and he was due and liable to pay the remaining sum of Rs.20,000/- to the 1st petitioner. On 15.06.2022 at about 8.35 p.m., all the petitioners went to the house of the de-facto complainant, scolded Venkatesan in filthy language, assaulted both the Venkatesan and de-facto complainant with hands and threatened to kill the entire family. Next day morning the said Venkatesan committed suicide. Hence, the complaint.



3. According to the case of the prosecution, the de-facto complainant's son borrowed a sum of Rs.30,000/- and he paid only Rs.10,000/-. For the remaining amount, the petitioners went to the victims house on 15.06.2022 and demanded the amount. They also scolded him with filthy language. On next day, he committed suicide i.e., 16.05.2022. Therefore, as per the case of the prosecution, mere demanding return of money does not amounts to instigate suicide.

4. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are 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 Court, Polur, Thiruvannamalai District on condition that each of the petitioners shall execute a separate 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 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 petitioners 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 1st and 3rd petitioners shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation. The 2nd and 4th petitioners shall report before the respondent Police as and when required for interrogation.

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

[d] the petitioners 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 the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

WEB COPY

-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,
POLUR, THIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,
THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S S.B.VISWANATHAN Advocate on payment of necessary charges SR.No.10056

CRL OP.14661/2022

Date :27/06/2022

CSK 29/06/2022