



Crl.O.P.No.18422 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2022

CORAM

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

Crl.O.P.No.18422 of 2022

A.Vivekanandan

...Petitioner

Vs.

The State rep by
The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
Crime No.184 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No. 184 of 2022 on the file of the respondent.

For Petitioner	: Mr.M.Krishnamoorthy
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2022 for the offences punishable under Section 174(3) and subsequently altered to Sections 294(b), 323 and 306 of IPC in crime No.184 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the victim was married to the petitioner on 06.04.2022 and it was a love cum arranged marriage. It is alleged that the petitioner/husband along with the in-laws of the victim demanded huge dowry and thereby committed a physical and mental cruelty to the deceased victim. Thereby, the victim committed suicide by hanging and lost her life. Hence, the defacto complainant who is the father of the deceased victim lodged a complaint against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is nothing to do with the alleged offence and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 05.06.2022. Hence, he seeks for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor would submit that the petitioner along with his family members continuously tortured the deceased pushpa and demanded a sum of Rs.5,00,000/- and 30 sovereign gold from her and also harassed and assaulted her, due to which, she committed suicide. He further submits that the deceased victim was 5 month pregnant. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie., from 05.06.2022, this Court is inclined to grant bail to the petitioner.

6. 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 sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate at Chengam** and on further conditions that:



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[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 twice daily at 10.30.a.m., and 04.30.p.m., for a period of six weeks and thereafter 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.

04.08.2022

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To:

1. Judicial Magistrate,
Chengam.
2. The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District
3. Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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