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CrI.O.P.No.18826 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

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

CrI.O.P.No.18826 of 2022

Janarthanan
...Petitioner

Vs.

The State rep by,
Inspector of Police,
Reddichavadi Police Station,
Cuddalore.
Crime No.135 of 2022

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with Crime
No.135 of 2022 on the file of the respondent police.

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



Crl.O.P.No.18826 of 2022

ORDER

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The petitioner, who was arrested and remanded to judicial custody on 17.07.2022 for the offences under Sections **174(3) of Cr.P.C read with Section 306 of IPC** in crime No.135 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A1 is the husband of the deceased. The petitioner along with in-laws of the deceased demanded huge dowry from the defacto complainant and there was a misunderstanding in between the petitioner and the defacto complainant, due to which, the deceased committed suicide by hanging in her matrimonial home. Hence, the case.

3. The learned counsel for the petitioner submitted that there is no evidence with regard to dowry demand in the RDO report. He further submitted that the deceased herself committed suicide and there is no abetment by the petitioner. Hence, he seeks for bail to the petitioner.



Crl.O.P.No.18826 of 2022

4. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie., from 17.07.2022, this Court is inclined to grant bail to the petitioner.

5. 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, Additional Mahila Court, Cuddalore** 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]petitioner shall report before the respondent police twice daily at 10.30.a.m., and 04.30.p.m., for a period of four weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial.



CrI.O.P.No.18826 of 2022

[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.

10.08.2022

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To:

1. Judicial Magistrate,
Additional Mahila Court, Cuddalore.
2. Inspector of Police,
Reddichavadi Police Station,
Cuddalore.
3. Sub-Jail,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.O.P.No.18826 of 2022

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.18826 of 2022

10.08.2022