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CrI.OP.No.19210 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

CrI.OP.No.19210 of 2022

Ramesh @ Veeraselvan

...Petitioner

Vs.

State represented by
The Station House Officer,
Neravy Police Station, Karaikal,
Karaikal District.
(Crime No.52 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 the case in
Crime No.52 of 2022 on the file of the respondent police.

For Petitioner :Mr.K.Aravindraj

For Respondent :Mr.V.Balamurugane,
Public Prosecutor (Puducherry)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.07.2022 for the offences punishable under Sections 174 Cr.P.C @ 306 IPC r/w Section 34 IPC in crime No.52 of 2022 on the file of the respondent police, seeks bail.

2. There are totally nine accused in this case. The case of the prosecution is that on 28.07.2022, the petitioner along with other accused persons joined together in furtherance of common intention abetted the deceased to commit suicide by way of self immolation by using kerosene in front of his house due to frustration of his life on account of property dispute between him and the accused persons. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged occurrence and the deceased on his own poured kerosene and set fire on him. However, the petitioner was suffering incarceration from 31.07.2022. Hence, he seeks for bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that,



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originally FIR has been registered for the offence under Section 174 of Cr.P.C and subsequently it was altered to Section 306 IPC r/w Section 34 IPC. Hence, he opposed for grant of bail to the petitioner.

5. On perusal of the F.I.R, reveals that on the date of occurrence, there was no instigation from the petitioner, unfortunately the deceased on his own poured kerosene and set fire on him and considering the period of incarceration suffered by the petitioner from the date of his arrest i.e., 31.07.2022, 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, each for a like sum to the satisfaction of the learned Judicial Magistrate II, Karaikkal 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 twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks and



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

16.08.2022

Anu



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To

1. The Judicial Magistrate II, Karaikkal
2. The Station House Officer,
Neravy Police Station, Karaikal,
Karaikal District.
3. The Central Prison,
Pondicherry.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

Anu

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