



Crl.O.P.No.19412 of 2022

WEB COPY

Crl.O.P.No.19412 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 305 of IPC r/w 4B (2) TNPHW Act in Crime No.191 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners abused the defacto complainant's daughter/deceased with filthy language, following which, the deceased has committed suicide by hanging herself. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have no committed any such offence as alleged by the prosecution and they been falsely implicated in this case a Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.19412 of 2022

WEB COPY

4. The learned Government Advocate (Crl.Side) would submit that the petitioners abused the defacto complainant's daughter/deceased with filthy language, following which, the deceased has committed suicide. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. It is seen that the first petitioner/first accused had fell in love with the deceased aged about 17 years. After having physical relationship, the first accused failed to keep up his words and refused to marry her. Therefore, the victim was humiliated and committed suicide. In so far as , other accused persons/ petitioners 2 to 4 are concerned, they are the family members of the first accused and they are nothing to do with the aforesaid offence.

6. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the 2nd , 3rd and 4th petitioners with certain conditions.



CrI.O.P.No.19412 of 2022

WEB COPY

6. Accordingly, as far as the first petitioner is concerned, this petition is dismissed and as far as the 2nd , 3rd and 4th petitioners are concerned, they 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 ***learned Judicial Magistrate -II, Kallakurichi*** on condition that the 2nd , 3rd and 4th petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 2nd , 3rd and 4th 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 2nd , 3rd and 4th 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.



Crl.O.P.No.19412 of 2022

WEB COPY

[c] the 2nd , 3rd and 4th petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the 2nd , 3rd and 4th 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 2nd , 3rd and 4th petitioners in accordance with law as if the conditions have been imposed and the 2nd , 3rd and 4th petitioners are 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.

17.08.2022

VV



WEB COPY



Crl.O.P.No.19412 of 2022

G.K.ILANTHIRAIYAN, J.

Vv

Crl.O.P.No.19412 of 2022

17.08.2022