



WEB COPY



CrI.OP.No.19641 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

CrI.OP.No.19641 of 2022

K.Vijaykumar

...Petitioner

Vs.

State by,
Inspector of Police,
Ambalur Police Station,
Thirupathur District.
(Crime No.103 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.103 of 2022, on the file of the Inspector of Police, Ambalur Police Station, Thirupattur District.

For Petitioner : Mr.Ganesh Rajan
For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2022 for the offences punishable under Section 174 of Cr.P.C @ Sections 498(A), 306 and 201 of IPC in crime No.103 of 2022



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on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to family dispute, there was a wordy quarrel between the deceased and the petitioner, wherein the petitioner had abused and assaulted the deceased. Due to such humiliation, the deceased committed suicide by hanging. Hence, the complaint.

3. The petitioner being the husband of the deceased harassed her. However, soon before her death, there is no evidence to show that the petitioner had instigated the deceased to commit suicide.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e. 01.07.2022, this Court is inclined to grant bail to the petitioner. 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Vaniyambadi**, 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 5.30 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.

23.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Vaniyambadi.
- 2.The Inspector of Police,
Ambalur Police Station,
Thirupathur District.
- 3.Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

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