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Crl.OP.No.20701 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

Crl.OP.No.20701 of 2022

P.Dinakaran

...Petitioner

Vs.

State represented by
The Inspector of Police,
Mangadu Police Station,
Kancheepuram.
(Crime No.582 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.582
of 2022 on the file of the Respondent Police.

For Petitioner :Mr.D.Padmanabhan

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



Crl.OP.No.20701 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.07.2022 for the offences punishable under Sections **174 (3) @ 306 IPC** in crime No.582 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, due to matrimonial dispute, there was a wordy quarrel between the petitioner and the deceased, who is the wife of the petitioner herein. On the date of occurrence, the deceased committed suicide by hanging herself in her matrimonial home. Hence, the case.

3. The learned Additional Public Prosecutor submitted that, as per the RDO report, there was no dowry demand, however, there was a wordy quarrel between the petitioner and the deceased and she has been driven out to her matrimonial home. On the date of occurrence, they had a wordy quarrel, due to which, the deceased committed suicide. Hence, he opposed for grant of bail to the petitioner.



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CrI.OP.No.20701 of 2022

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of their arrest i.e., 29.07.2022, 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 sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Sriperumbudur** 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 six weeks and thereafter as and when required for interrogation.

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



CrI.OP.No.20701 of 2022

WEB COPY

[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.

30.08.2022

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CrI.OP.No.20701 of 2022

WEB COPY

To

1. District Munsif Cum Judicial Magistrate,
Sriperumbudur.
2. The Inspector of Police,
Mangadu Police Station,
Kancheepuram.
3. Central Prison II,
Puzhal.
4. The Public Prosecutor,
High Court of Madras



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Crl.OP.No.20701 of 2022

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.20701 of 2022

30.08.2022