



Crl.O.P.No.21457 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 306 of IPC in Crime No.199 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant, who is the mother of deceased, is that there was a previous enmity between her son and the accused. On 28.08.2022, the petitioner has abused the defacto complainant's son with filthy language and abetted her son to commit suicide by consuming pesticides. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. The defacto complainant's son committed suicide due to various other reasons. However, due to previous enmity, the defacto complainant has lodged a false complaint as against the petitioner, as if the petitioner induced and abetted her son to commit suicide. He would further submit that there is no suicidal note and further, the petitioner is a college



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student undergoing MBA Course in Meenaakshi Ramasamy Arts and Science College, Thathanur. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner and the defacto complainant are known to each other and there was a previous enmity between them and on the fateful day, the petitioner has abused the defacto complainant with filthy language and abetted him to consume pesticides. Due to the same, the defacto complainant's son passed away on the next day.

5. Heard the learned counsel and perused the materials available on record including the First Information Report.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Jeyamkondam**, on condition that the petitioner shall execute a bond for **a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** 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 petitioner 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 petitioner shall stay at Madurai and report before the Inspector of Police, Othakadai Police Station, Madurai daily at 10.30 a.m., until further orders.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioner 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 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.

07.09.2022

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