



WEB COPY



Crl.OP.No.21943 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.21943 of 2022

Vetrivel

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Ethappur Police Station,
Salem District.

(Crime No.333/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in connection
with the Crime No.333 of 2022 on the file of the respondent.

For Petitioner : Mr.S.Mayilnathan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



Crl.OP.No.21943 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.08.2022 for the offences punishable under Section 174(3) of Cr.P.C, in Crime No.333 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant is that the marriage between the victim/daughter of the de-facto complainant and the petitioner was performed on 13.06.2022. The victim had completed B.Sc., and also a Member of the Panchayat. While so, within 20 days of marriage, the victim found that the petitioner was having an affair with one Priya and used to chat with her regularly and the petitioner had continued her relationship, even after it was reprimanded by the victim, due to which, the victim committed suicide by hanging. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that the marriage between the petitioner and



Crl.OP.No.21943 of 2022

the victim was performed against the wish of the victim and since, she was not happy with the marriage, she committed suicide. He would further submit that even as per the victim, there was no demand of dowry and there is no allegation against the petitioner that he has abetted her to commit suicide. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the marriage between the petitioner and victim was solemnized on 13.06.2022 and since, the petitioner had refused to disconnect his relationship with one Priya, the victim has committed suicide. He would further submit that the petitioner was arrested on 10.08.2022 and the RDO enquiry is pending. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.



Crl.OP.No.21943 of 2022

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner are ordered to be released on bail on his executing 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 **learned Judicial Magistrate No.I, Attur**, 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 stay at Chennai and report before the Inspector of Police, B2-Esplanade Police Station everyday at 10.30 a.m. and 5.30 p.m., until further orders;

[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



WEB COPY



Crl.OP.No.21943 of 2022

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.

12.09.2022

ham

To

1. The Judicial Magistrate No.I,
Attur.
2. The Inspector of Police,
Ethappur Police Station,
Salem District. .
3. The Sub Jail,
Attur.
4. The Inspector of Police,
B2, Esplanade Police Station,
Chennai.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.21943 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.21943 of 2022

12.09.2022