



CrI.O.P.No.21620 of 2022

A.D. JAGADISH CHANDIRA, J.,

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The petitioner, who apprehends arrest for the alleged offences under Section 306 of IPC in Crime No.261 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the complainant had given by one Sivaprakasam that his daughter had committed suicide by hanging. Hence a case in Cr.No.261 of 2022 came to be registered under Section 174 Cr.PC. It is the further case is that during the course of enquiry it was found that the petitioner accused was having intimate relationship with the deceased and she had prevented the deceased from having relationship with other friends and she had also abused and shamed the deceased girl, due to which she had committed suicide.

3. The learned counsel for the petitioner would submit that the petitioner and the defacto complainant are close friends, even as per the prosecution it is stated that the petitioner was having close and intimate relationship with the deceased, if that is so there is no reason for the petitioner to have abetted the victim to commit suicide. He would submit that the petitioner is a student undergoing three years course in Chengalpattu Law College and that



because of the registration of case her entire studies and career get spoiled. The

petitioner also understands that the victim has not left out any suicide note.

Subsequently, a case has been foisted against the petitioner, and there is absolutely no averments that the petitioner had abetted the victim to commit suicide. He would submit that the petitioner is prepared to report before the respondent for investigation. Hence, the complaint.

4. The learned Government Advocate (crl. side) appearing for the respondent police submitted that the petitioner and the deceased were roommates and there was an intimate relationship between them and the petitioner had prevented the victim from having friendship with other students and the victim had spoken to other friends, the petitioner had abused and humiliated her, thereby the petitioner had abused and shouted her, due to which the victim had committed suicide.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions :

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before the Judicial Magistrate No.II, Chengalpattu, on condition that the petitioner shall execute a



separate bond 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 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 report before the respondent Police daily at 10.30am for a period of two weeks and thereafter on every Saturday at 10.30am until further orders.

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

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

With the above directions, this Criminal Original Petition is ordered.

14.09.2022



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