



Crl.OP.No.21779 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2022

CORAM

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

Crl.OP.No.21779 of 2022

V.Govindaraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
(Crime No.253/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner on bail in connection with the Crime No.253
of 2022 pending investigation on the file of the Inspector of Police,
Muthupettai Police Station, Tiruvarur District.

For Petitioner : Mr.N.Palanivel

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.08.2022 for the offences punishable under Section 304(B) of IPC in Crime No.253 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the marriage between the victim and the petitioner was solemnised during the year 2017 and out of their wedlock, they have two female children. As per the prosecution, the petitioner and his mother had continuously harassed the victim, due to which, the victim had attempted suicide on 09.08.2022 by self immolation and she was taken to the hospital and later died on 14.08.2022. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner had married the victim during the year 2017 and they have two female children. He would also submit that due to the drinking habit of the petitioner, there occurred a frequent quarrel between the petitioner and the victim and due to which, the victim had attempted suicide by self immolating her. He would further submit that even as per the victim, there



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was no demand of dowry and only frustrated with the drinking habit of the petitioner, the victim attempted suicide and the petitioner has not abetted her to commit suicide. The learned counsel would also submit that the major part of the investigation is over. Thereby, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a drunkard and when it was questioned by the victim, the petitioner used to assault her and due to which, the petitioner committed suicide by self immolation. He would further submit that the petitioner was arrested on 15.08.2022 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.

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



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7. Accordingly, the petitioner is 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, Thiruthuraipoondi**, 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, Triplicane Police Station daily at 10.30 a.m., and at 05.30 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 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



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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.

09.09.2022

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To

1. The Judicial Magistrate,
Thiruthuraipoondi.
2. The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
3. The Sub Jail,
Thiruthuraipoondi.
4. The Inspector of Police,
Triplicane Police Station,
Chennai.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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