



Crl.O.P.No.23081 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 Section 174 of Cr.P.C in Crime No.304 of 2021, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Gothandapani is that his daughter committed suicide by self immolation by pouring kerosine. Based on the complaint given by the defacto complainant, a case in Crime No.304 of 2021 has been registered under Section 174 Cr.P.C. During the course of the investigation, it was found that the deceased was pregnant by five months and that the petitioner who was having relationship with her.

3.The learned Government Advocate (crl.side) would submit that the defacto complainant's daughter committed suicide on 14.05.2021. During the Post-mortem, it was found that the victim was pregnant and her fetus was taken for forensic examination. During the



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Further course of investigation, it was found that the petitioner was the person having relationship with the victim girl and the petitioner was called for an enquiry and his samples have also been taken for DNA. He would further submit that till date, the DNA report is awaited.

4.At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is no way connected with the victim girl. He would further submit that the petitioner apprehend the arrest. Hence, he prays for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Cuddalore on condition that the petitioner shall



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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 report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation.

[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



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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;

22.09.2022

vkr

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