



Crl.O.P.No.23144 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 offence punishable under Section 174 of Cr.P.C. @ 306 of IPC and in Crime **No.71 of 2022** on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Susila is that her daughter was found in perturbed mode and she had seen her speaking to someone on phone. In the afternoon, the *de-facto* complainant found her daughter committed suicide by hanging. The *de-facto* complainant suspecting the petitioner to be the reason behind her daughter's suicide had given the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is working at BSF as a sepoy and there is absolutely no material to show that the petitioner instigated or abetted the victim to commit suicide. He would further submit that the petitioner is ready to



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appear for the enquiry. Hence, he prays to grant anticipatory bail to the petitioner.

4. The Additional Public Prosecutor (Puducherry) appearing for the respondent would submit that the petitioner had a love affair with the victim girl and he had refused to marry the victim girl. As a result, the victim girl committed suicide. He would further submit that no suicide note was left by the victim girl and the investigation is still pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Taking into consideration the facts and submissions of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 Principal Sessions Judge, Puducherry** on condition that the petitioner



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shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 everyday at 10.30 a.m., for a period of four 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 entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.



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nst/mpl

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

23.09.2022

nst/mpl

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