



Crl.O.P.No.23695 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

CORAM

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

Crl.O.P.No.23695 of 2022

R.Ragul

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Aruvankadu Police Station,
The Nilgiris.

(Crime No.27 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in connection with the Crime No.27
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.J.Franklin

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 30.07.2022 for the offence punishable under Sections 174 Cr.P.C @ 306 IPC, in Crime No.27 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 his daughter/deceased had got into relationship with one Ravikumar and she got married to him without the de-facto complainant's permission and later, the de-facto complainant came to know that there was a problem between his daughter and her husband and that on 31.05.2022, the victim committed suicide by hanging. Based on which, a case has been registered for the offence under Section 174 Cr.P.C and later, during the course of investigation, it came to light that the petitioner had developed an illicit intimacy with the victim through phone call and when it came to the knowledge of the victim's husband, she committed suicide. Hence the case.



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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 further submit that there was a friendship between the petitioner and the victim and on knowing this, the husband of the victim had reprimanded her and due to the same, she committed suicide. He would also submit that there is no specific allegation as against the petitioner, as if he has abetted the victim to commit suicide and no overt act has been attributed as against the petitioner. He would further submit that the petitioner is in custody from 30.07.2022 and 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 petitioner has developed a relationship with the victim girl, who was already married and which has been informed to the husband of the victim by the petitioner's girl friend and due to which, the victim was reprimanded by her husband and hence she committed suicide by hanging. He would further submit that the petitioner has also abetted the victim to commit suicide. He would also submit that the major part of the investigation is over and he vehemently oppose to grant bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) 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 and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Coonoor**, 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 Coimbatore



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and report before the Inspector of Police, RS Puram Police Station, everyday at 10.30 a.m. and 5.30 p.m., until further orders;

[c] the petitioner shall not enter into the jurisdictional limit of the respondent police station, until further orders;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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]*;

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

30.09.2022

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To



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- 1.The Judicial Magistrate, Coonoor.
- 2.The Inspector of Police,
Aruvankadu Police Station,
The Nilgiris.
- 3.The Sub Jail, Coonoor.
4. The Inspector of Police,
R.S. Puram Police Station,
Coimbatore.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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