



Crl.O.P.No.28201 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174 of Cr.P.C. @ 306 of IPC in Crime No.792 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Gunasekaran is that his wife/victim was working as a house keeping in a hospital and that she was found missing from 25.07.2022. While so, one Aishwarya/2nd petitioner herein, who is the daughter of A1 had informed the *de-facto* complainant that his wife was in Paruthipattu and when he had gone there, he found that his wife has consumed Harpic and on enquiry, the victim stated that she was assaulted by one Ramana and his family members, due to which she consumed Harpic. Later, without responding to the treatment, the victim had died on 27.10.2022. Hence the case.



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3. The learned counsel for the petitioners would submit that the petitioners are respectively the wife and daughter of one Ramana, who is arrayed as A1 in this case. Further, A1 and the victim were working in the same hospital, during such time, A1 had developed an illegal intimacy with the victim and both of them have eloped from their home and after three months when they returned home, the *de-facto* complainant had humiliated the victim since she has eloped with some one else and due to the humiliation, the victim had attempted to commit suicide by consuming Harphic and later died in the hospital. He would further submit that the victim being humiliated and feeling guilty that she had left her family had committed suicide and the petitioners being the wife and daughter of A1 have nothing to do with the suicide committed by the victim. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the wife of the *de-facto* complainant has eloped with the A1, who is the husband and father of the 1st and 2nd



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petitioners respectively and thereafter, when they had returned after three months, the petitioners along with family members have abused the victim in a filthy language and assaulted her, due to which, she had committed suicide by consuming Harpic. He further submitted that the investigation is pending, hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No-II, Poonamallee**, on condition that each of the petitioners shall execute a separate 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



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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 petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter on every Saturday at 10.30 a.m., until further orders.

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

[d] the petitioners 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.**



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

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