



CrI.O.P.No.28669 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

CORAM

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

CrI.O.P.No.28669 of 2022

Jayapandi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Puthur Police Station,
Cuddalore District.

(Crime No.173/2022).

... Respondent

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.173
of 2022, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Vellidoss

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



Crl.O.P.No.28669 of 2022

phone and abetted her to commit suicide. Thereby, the case has been altered to one under Section 174 (1) Cr.P.C @ 306 IPC. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, since he happens to be the friend of A1. He also submitted that the petitioner, on the instructions given by A1 had contacted the victim over phone and questioned her about her relationship with some one and other than that the petitioner has not abetted the victim to commit suicide. He also submitted that the no suicide note has been left by the victim and the petitioner has been implicated in this case only based on the call records and other than that there is no material to show against the petitioner, as if he has abetted the victim to commit suicide. He also submitted that the petitioner is in custody from 28.09.2022 and he has no bad antecedents, hence, he prayed to grant bail to the petitioner.

4. The Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner (A2), who is the friend of A1, along with A1 had threatened the victim by stating that she was having an



Crl.O.P.No.28669 of 2022

illicit intimacy with some other person, due to which, the victim had committed suicide by drowning into the Veeranam lake. He further submitted that the investigation is pending and there is no previous case as against the petitioner, however, he vehemently opposed to grant bail to the petitioner.

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 District Munsif-cum-Judicial Magistrate, Kaatumannarkoil**, and on further conditions that:



Crl.O.P.No.28669 of 2022

[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 report before the respondent Police everyday at 10.30 a.m., for a period of 30 days and thereafter, every Saturday at 10.30a.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 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.

22.11.2022

ham



Crl.O.P.No.28669 of 2022

WEB COPY

To

1. The District Munsif - cum - Judicial Magistrate,
Kaatumannarkoil.
2. The Inspector of Police,
Puthur Police Station,
Cuddalore District.
3. The Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.28669 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.28669 of 2022

22.11.2022