



Crl.O.P.No.29627 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM

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

**Crl.O.P.No.29627 of 2022**

V.Prakash

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
M-8, Sathangadu Police Station,  
Thiruvallur District.

(Crime No.379 of 2022)

... Respondent

**Prayer:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleaded to enlarge the petitioner on bail pending investigation in Crime  
No.379 of 2022 on the file of the respondent Police.

For Petitioner : Mr.K.Balasubramaniam

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 20.11.2022, for the offences punishable under Section 174 Cr.P.C @ 306 IPC, in Crime No.379 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant Vajiravalli is that her daughter Vidyavathi/deceased was earlier married to one Kandan and they have two children and later, due to misunderstanding, she got separated from him. Later she got acquainted with the petitioner, who was also a divorcee, thereafter, they got married and living together for about 12 years. While so, on 18.11.2022, since her husband scolded her that there was no salt in the vadacurry cooked by her, there was a quarrel between them, due to which, she had committed suicide by hanging. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he also stated that the victim had committed suicide only on account of the quarrel regarding the complaining



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of food . He also submitted that the allegation as stated by the de-facto complainant would not amount to the abetment of suicide and the victim being the sensitive lady had committed suicide by hanging and there is no abetment made by the petitioner on the victim to commit suicide. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent submitted that the daughter of the de-facto complainant has committed suicide by hanging, since her husband/petitioner herein has shouted at her for no salt in the food. He further submitted that there is no previous case as against the petitioner, however, he oppose for grant of 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.



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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.

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, Tiruvottiyur**, 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 report before the respondent Police, everyday at 10.30 a.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;



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[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.

**01.12.2022**

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To

1. The Judicial Magistrate,  
Tiruvottiyur.
2. The Inspector of Police,  
M-8, Sathangadu Police Station,  
Thiruvallur District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,  
High Court of Madras.

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**A.D.JAGADISH CHANDIRA., J.**

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