

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No. 8716 of 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal procedure, 1973 seeking pre-arrest bail to the petitioner who is arrayed as Accused No.4 in the event of his arrest in Crime No.1231 of 2022 on the file of Station House Officer, Vanasthalipuram Police Station, registered for the offence punishable under Section 306 read with 34 of Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The facts of the case in brief are that the de-facto complainant filed a complaint stating that his brother was married in the year 2014. Due to the differences in his matrimonial life, he committed suicide as he was vexed. According to the suicide letter, the deceased was subjected to mental agony by his wife, mother-in-law, sister-in-law and his wife's friend namely Renuka and this petitioner who is an Advocate.

4. The petitioner being an Advocate, it is his responsibility to defend the case of his client. For the reason of representing the wife of the deceased will not in any manner amount to causing any mental distress or agony as stated in the complaint and the suicide letter. There are no specific allegations attributed to this petitioner. For the said reason, this petitioner who is a practicing Advocate, can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.4 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.4 is directed to surrender before the Station House Officer, Vanasthalipuram Police Station, within ten (10) days from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) On such release, the petitioner/Accused shall appear before the concerned Station House Officer as and when required.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 18.10.2022
Rev/Mnv