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Crl.O.P.No.8796 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2023

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

Crl.O.P.No.8796 of 2023

Rajasekaran

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Vadalur Police Station,
Cuddalore District.

Crime No.726 of 2021

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in pending investigation in Crime
No.726 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Anandharaj

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



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this Court and this Court had granted interim stay of transfer and the petitioner was asked to take charge on the same place. Thereafter, the victim aggrieved by the same, has committed suicide in her house. He further submitted that the petitioner has approached this Court only for legal remedy and he has not committed any offence and he has not instigated or abetted the victim to commit suicide. He further submitted that the petitioner has also understands that the victim was suffering from depression and thereby, she had committed suicide on 25.11.2022. He further submitted that the petitioner was also called for enquiry and he had all along appeared for enquiry. He also submitted that the petitioner was arrested on 07.04.2023, even without any materials implicating the petitioner for having abetted the victim to commit suicide. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was an erstwhile Village Administrative Officer of Seplanatham Village and on his transfer, the victim was appointed in that place. He further submitted that the petitioner had



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thereafter harassed the victim and he has closed the office and prevented the victim from discharging her duties and thereby, unable to bear the humiliation and torture, the victim had committed suicide by hanging. He further submitted the investigation is still pending, hence, he opposed 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.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side 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 her executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties** each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Kurinjipadi** and on further



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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 Chennai and report before the Inspector of Police, Thuraipakkam Police Station, everyday at 6.30 p.m., 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.

21.04.2023

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A.D.JAGADISH CHANDIRA.,J.

vkr

To

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

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