



Crl.O.P.No.9570 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174 cr.P.C altered to 306 of IPC in Crime No.511 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant Ranganayagi is that her son Rajesh was married to one Priya, 6 years ago and that her son was addicted to liquor and that her daughter-in-law was living separately in her parents house, thereby her son was in severe depression and that on 24.06.2020, her son had committed suicide by hanging. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person. He further submitted that the marriage between the petitioner and the victim was performed 6 years ago. The victim was addicted to liquor and harassed the petitioner and thereby the petitioner had left the matrimonial home and she was living with their parents. While so, on 24.06.2020, the victim committed suicide by hanging and a false case has been



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given as if the petitioner had abetted the victim to commit suicide and therefore, he would seek anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner, who is the wife of the victim, harassed the victim and thereby he had committed suicide by hanging. He would also submit that the victim has also left the suicide note and hence he vehemently opposed to grant anticipatory bail to the petitioner

5. The learned counsel appearing for the intervenor vehemently opposed to grant anticipatory bail to the petitioner stating that due to harassment of the petitioner, the victim committed suicide by hanging.

6. Heard both sides and perused the materials available on record.

7. Even as per the complaint, the defacto complainant had stated that her son/the victim, was addicted to liquor and in the suicide note, nothing has been stated as if the petitioner had abetted the victim to commit suicide by hanging.



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8. Considering the above facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before **the learned Judicial Magistrate No.II, Thiruvallur**, on condition that the petitioners shall execute 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 respondent police or the police 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his 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 one week and thereafter as and when required for interrogation;



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

[d] the petitioner 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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