



CrI.OP.No.10233 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.10233 of 2023

Alexander

... Petitioner/ A3

Vs.

State Rep by
Inspector of Police,
Thiruvankadu Police Station,
Mayiladuthurai
Crime No.70 of 2023

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.

praying to release the petitioner on bail in crime No.70 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Abu Backer Sidhic

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.04.2023 for the offence punishable under Sections 306 of IPC in Crime No.70 of 2023 on the file of the respondent police, seek bail

2. The case of the prosecution is that the first accused fell in love with the deceased and thereafter he refused to marry her, due to which there was a wordy quarrel. Thereafter, she committed suicide. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that the first accused fell in love with the deceased and thereafter he refused to marry her, due to which there was a



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wordy quarrel between them. Thereafter, she committed suicide.

5. There are totally four accused, in which the petitioner is arrayed as A3. The petitioner is the brother of the first accused. The first accused fell in love with the deceased and thereafter, he refused to marry her, due to which there was a wordy quarrel between them. Insofar as the petitioner, he is the brother of the first accused. Now the first accused is also arrested and remanded to judicial custody. Considering the facts and circumstances of the case and also the period of incarceration by the petitioner from 10.04.2023, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate, Seerkazhi 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

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G.K.ILANTHIRAIYAN, J.

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To

- 1.The learned Judicial Magistrate,
Seerkazhi
- 2.Inspector of Police,
Thiruvankadu Police Station,
Mayiladuthurai
- 3.Sub Jail,
Seerkazhi
- 4.The Public Prosecutor,
High Court of Madras,
Chennai

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