



Crl.O.P.No.10770 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2023

CORAM

THE HON'BLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P.No.10770 of 2023

Karthik

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Banavaram Police Station,
Ranipet District.

(Crime No.71 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in Crime No.71 of 2023, on
the file of the respondent Police.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



CrI.O.P.No.10770 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.03.2023, in connection with Crime No.71 of 2023 for the alleged offence punishable under Section 174(3) Cr.P.C @ Section 306 of IPC, seeks bail.

2. The case of the prosecution as per the de-facto complainant Ravi is that his daughter one Bharathi was given in marriage to the accused/petitioner herein on 15.12.2019 and out of their wedlock, a male child was born to them. The accused used to harass her and unable to bear their harassment caused by the accused, the victim/deceased had attempted to commit suicide by hanging on 27.03.2023. Hence the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner had married the victim during the year 2019 and they have one male child. He would further submit that due to the drinking habit of the petitioner, there occurred a frequent quarrel between the petitioner and the victim and due to which, the victim had attempted suicide by hanging and the petitioner has not abetted her to commit suicide. The learned counsel would



Crl.O.P.No.10770 of 2023

also submit that the major part of the investigation is over. Thereby, he prays to grant bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner is a drunkard and when it was questioned by the victim, the petitioner along with his family members used to assault her and due to which, the victim committed suicide by hanging. He would further submit that the RDO enquiry report is pending and six witnesses have been examined. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the entire 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 taking note of the period of incarceration undergone by this petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



Crl.O.P.No.10770 of 2023

WEB COPY

7. 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, Sholinghur, Ranipet District**, 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, daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during the investigation trial;

[d] the petitioner shall not tamper with evidence or witness either during the 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



Crl.O.P.No.10770 of 2023

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.

17.05.2023

vk

To

1. The Judicial Magistrate,
Sholighur, Ranipet District.
2. The Inspector of Police,
Banavaram Police Station,
Ranipet District.
3. The Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.10770 of 2023

A.A.NAKKIRAN,J.

vkrr/ham

Crl.O.P.No.10770 of 2023

17.05.2023