



Crl.O.P.No.12695 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM

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

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Sathyaraj @ Sathya

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Nannilam Police Station,
Nannilam, Thiruvarur District.
(Crime No.191 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with the Crime
No.191 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Muruga Bharathi

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 18.04.2023, for the offences punishable under Sections 174 of



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Cr.P.C @ Section 306 of IPC, in Crime No.191 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution as per the defacto complainant/ Vetrivel is that his sister Archana had committed suicide by hanging. Based on his complaint, initially a case in Crime No.191 of 2023 was registered by the respondent Police under Section 174 Cr.P.C and later during the course of investigation, it came to light that the petitioner had love affair with the deceased and later, he had developed intimacy with another woman and later harassed the victim, thereby, the victim committed suicide by hanging. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and he has been falsely implicated in this case. He further submitted that infact there was a relationship between the petitioner and the victim for sometime and later, the petitioner came to know that she was not interested in proceeding with the friendship and thereby, he had discontinued the friendship and the petitioner had refused to talk to her, later the victim has committed suicide and a false complaint has been given,



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as if, the petitioner has abetted the victim to commit suicide. He further submitted that even taking into consideration the allegations are true, there is no material to show that the petitioner has abetted the victim to commit the suicide. He also submitted that the petitioner is in custody from 18.04.2023 and major part of the investigation has been completed. 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 had developed intimacy with the victim girl and later, he disconnected her relationship and started friendship with another girl. Thereafter, he harassed the victim, due to which, the victim had committed suicide by hanging. He also submitted that she has made a video call before dying to the petitioner. Therefore, 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.



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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 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 District Munsif cum Judicial Magistrate, Nannilam, Thriuvavur 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 stay at Trichy and report before the Inspector of Police, Palakarai Police Station, everyday at 10.30 a.m., until further orders;

[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;



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

08.06 .2023

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To

1. The District Munsif cum Judicial Magistrate,
Nannilam, Thiruvarur District.
2. The Inspector of Police,
Nannilam Police Station,
Nannilam, Thiruvarur District.
3. The Sub Jail, Nannilam,
Thiruvarur District.
4. The Inspector of Police,
Palakarai Police Station,
Trichy.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

Vkr

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