



Crl.O.P.No.13188 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 174 Cr.P.C @ 306 of IPC in Crime No.231 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant/Sanju is that the deceased namely Kannapiran sent a voice message to his mobile number. On hearing the voice message, the defacto complainant immediately went to the house of the deceased and knocked the door several times and enquired the neighbours about his whereabouts. Thereafter, the defacto complainant called the relative one Srinivasan and gave a information to the police. With the help of Police and A3, broke open the door and went inside and found that the deceased and his parents committed suicide by consuming pesticides. Hence the case.

3. The learned counsel for the petitioner would submit that the



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petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that since the crime is of the year 2022, the investigation is yet to be completed. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) for the respondent would submit that this dispute said to have been arisen with regard to dispute in the naming of the child. He would further submit that the investigation has been completed and the charge sheet has been made ready. However, he prayed for grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6.Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact that the investigation has been completed and the charge sheet has been made ready, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Metropolitan Magistrate No.V, Egmore** on condition that the petitioner 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 their 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 three weeks;



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

10.08.2023

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RMT.TEEKAA RAMAN, J.



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