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CrI.O.P.No.17389 of 2023

CrI.O.P.No.16345 of 2023

RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 174 Cr.P.C., altered to 306 of IPC, in Crime No.48 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband was working as Painter in M/s. Same Deutz-Fahr India Pvt. Ltd., SIPCOT, Ranipet, as a permanent employee for the past 11 years. Before three months, he husband was injured in his left hand at the work place due to which, the Doctor advised not to lift any heavy articles. He has conveyed the same to his Manager. Her husband informed the defacto complainant that he was over-loaded with work in his Company, that every he used to go to the Company by 7.40 a.m and that return at 7.00 p.m by the Company Bus. However, both Saturday and Sunday are holidays for him. On 11.02.2023 at about 3.00 p.m., the defacto complainant went with her father to Tirupathur for the condolence of her



Crl.O.P.No.17389 of 2023

relative, leaving her husband at the home with her daughters. On 12.02.2023 at 6.00 p.m., the defacto complainant received a call from her uncle stating that her husband hanged himself and committed suicide. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and the he has been falsely implicated in this case. He would further submit that the petitioner neither harassed nor humiliated the deceased and he was not at all over-loaded with work. He would further submit that co-accused in this case has been released on anticipatory bail by this Court in Crl.O.P.No.4314 of 2023 dated 02.03.2023. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that based on the complaint, initially, a case has been registered for the offence under Section 174 of Cr.P.C., and during the course of the investigation, it came to light that the petitioner have



Crl.O.P.No.17389 of 2023

harassed, humiliated and also tortured the deceased by way of giving heavy work load, due to which, the deceased committed suicide by hanging. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent and perused the materials placed before me.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the co-accused has been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Katpadi, Vellore**, on condition that the petitioner shall execute a separate bond for a sum of Rs.25,000/- (Rupees



CrI.O.P.No.17389 of 2023

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Twenty Five 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 on daily at 10.30 a.m until further orders.

[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



CrI.O.P.No.17389 of 2023

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.

16.08.2023

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