



Crl.O.P.No.18956 of 2023

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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 @ Section 306 of IPC, in Crime No.369 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that her sister was working as a constable in the Tamilnadu Police Department and when she was working in Tiruppur Station, she got acquainted with his colleague one Vishnu/petitioner herein. The petitioner by suppressing his first marriage, had promised the victim to marry her. On coming to know about the same, the victim got depressed and committed suicide and later, died. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was working as a constable in the Tamilnadu Police Department. He would further submitted that the petitioner has also attempted to commit suicide by consuming poison and he has been discharged from the hospital on 03.08.2023. Hence, he



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prayed for grant of anticipatory bail to the petitioner.

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4.The learned Government Advocate (Crl.side) appearing for the respondent submitted that the petitioner, who is working in the Police Department, by suppressing his first marriage, had cheated the victim, who is also working the same department on the false promise of marriage. Due to which, she committed suicide and later died. He would further submit that the petitioner has also attempted to commit suicide by consuming poison and he has been discharged from the hospital on 03.08.2023. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the



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case, the submissions made by the learned counsel on either side and also of the fact that the petitioner has committed suicide by consuming poison, due to intervention of the petitioner, he was rescued. Hence, a separate FIR has to be filed for the petitioner and this Court is inclined to grant bail to the petitioner with certain conditions.

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, Chennai**, 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



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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 every Saturday 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 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.

30.08.2023

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