



Crl.O.P.No.19968 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.19968 of 2023

K.Selvakuamr

...Petitioner

Vs.

State Represented by,
Inspector of Police,
Perambur Police Station,
Mayiladuthurai District.
Crime No.281 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.281 of 2023 on the file of the respondent police.

For Petitioner : Mr.V.Vadivel

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.07.2023 for the offences punishable under Sections 174(3) @ 306 IPC in Crime No.281 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, deceased was the wife of the petitioner. Petitioner was working in abroad. He came back to India on 08.06.2023. Knowing that, his wife was residing with her mother, he visited her house and invited to join his family members. For which, deceased refused. Petitioner scolded her. Thereafter, deceased said to have committed suicide. Petitioner is no way responsible for the deceased committing suicide. Petitioner is in Judicial Custody from 15.07.2023. Thus, he seeks bail.

3. In reply, the learned Additional Public Prosecutor submitted that, marriage between the petitioner and the deceased had taken place on 11.02.2022. Thereafter, petitioner went to abroad for work. He left his wife with his mother. It appears that, his mother had ill-treated the



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deceased. Therefore, deceased left her matrimonial house and went to her parents house and lived there. On 08.06.2023, petitioner said to have invited the deceased to join him with the matrimonial life. Deceased refused. Petitioner had scolded her and that prompted the deceased to commit suicide.

4. Considering the nature of the allegations made in the FIR and having regard to the fact that, petitioner is in Judicial Custody from 15.07.2023 and that material part of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate at Tharangambadi** and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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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 investigation or trial.

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



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To

- 1.District Munsif cum Judicial Magistrate,
Tharangambadi
- 2.Sub Jail,
Porayar, Tharangambadi.
- 3.Inspector of Police,
Perambur Police Station,
Mayiladuthurai District.
- 4.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN. J.



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