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Crl.O.P.No.22259 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

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

Crl.O.P.No.22259 of 2023

Mouli – Saangar Maheswaran

...Petitioner

Vs.

State through Inspector of Police,
Avinashi Police Station,
Tiruppur District.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.403 of 2023 on the file of the respondent police with any conditions that may be imposed.

For Petitioner : Mr.K.Shanmugakani

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.08.2023 for the offences punishable under Section 174(3) Cr.P.C altered to 306 IPC in Crime No.403 of 2023 on the file of the



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respondent police, seeks bail.

2.It is the submission of the learned counsel for the petitioner that, petitioner is falsely implicated in the suicide of the deceased in a case registered in Crime No.403 of 2023 for the offences under Section 174(3) of Cr.P.C altered into Section 306 of IPC. Petitioner is in Judicial Custody from 23.08.2023. Thus, he seeks bail to the petitioner.

3. Learned Additional public prosecutor submitted that the marriage between the deceased and the first accused had taken place on 22.08.2022. Since the date of marriage, there was continuous harassment by the accused demanding dowry, body shaming, abuse and cruelty against her. That was the reason why the deceased was forced to commit suicide. He further submitted that there was a specific allegation made in the suicide note of the deceased that this petitioner had spoken ill of the deceased and her mother.

4. Considering the nature of overt act alleged against the petitioner and that petitioner is in judicial custody from 23.08.2023, this Court is inclined to grant bail to the petitioner with conditions. Accordingly, the petitioner is ordered to be released on bail on his



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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 **Magistrate Court, Avinashi, Tiruppur**, 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 report before the respondent police 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.

[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].



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G.CHANDRASEKHARAN, J.
mpl

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC.

27.09.2023

mpl

To

- 1.The Magistrate Court,
Avinashi, Tiruppur.
- 2.Sub Jail, Avinashi, Thiruppur District.
- 3.The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
- 4.The Public Prosecutor,
High Court of Madras.

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