



WEB COPY



CrI.OP.No.23251 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.23251 of 2023

P.Vijayasuriya

...Petitioner

Vs.

State rep. by
Inspector of Police,
T-5, Thiruverkadu Police Station,
Chennai.
Crime No.54 of 2023.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail, concerned in Crime No.54 of
2023, on the file of the Respondent Police.

For Petitioner : Mr.J.William Shakesphere

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 03.09.2023 originally for the offence punishable under Section 174(3)



CrI.OP.No.23251 of 2023

of Cr.P.C @ Section 306 of IPC in Crime No.54 of 2023 on the file of the respondent police, seeks bail.

2.It had been stated that the marriage between the petitioner and the deceased have taken place on 28.11.2019. Unfortunately, there was a quarrel and the petitioner had come out of the house and did not answer the phone calls made by the deceased. Out of the frustration, the deceased, had committed suicide. There was no allegation of demand of dowry made by the petitioner. As a matter of fact, the marriage was done by consent of both the parties.

3.In view of the surrounding circumstances and taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions

4.Accordingly, the petitioner is ordered to be released on bail on condition to 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 Judicial Magistrate No.II, Poonamalle, and on further conditions that:



CrI.OP.No.23251 of 2023

[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 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.

10.10.2023

vkrr



CrI.OP.No.23251 of 2023

WEB COPY

To

- 1.The Judicial Magistrate No.II, Poonamallee, Chennai.
- 2.Central Prison, Puzhal.
- 3.The Inspector of Police,
T-5, Thiruverkadu Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.23251 of 2023

C.V.KARTHIKEYAN. J.

vkf

Crl.O.P.No.23251 of 2023

10.10.2023