



CrI.O.P.No.25591 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A1 seeks anticipatory bail in Crime No.259 of 2023 originally registered for the offence punishable under Section 174(3) of Cr.P.C and subsequently, altered to Section 306 of IPC by the respondent police.

2. It is stated that the Petitioner is the husband of the deceased. It is also stated that the Petitioner and the deceased have an infant child and owing to the acts of cruelty by the accused, the deceased committed suicide.

3. The learned counsel for the Petitioner submitted that the Petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the Petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the Petitioner herein.

4. The earlier anticipatory bail application of the Petitioner came up for consideration on 06.10.2023 in CrI.O.P.No.23036 of 2023 and the said



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anticipatory bail application was dismissed insofar as this Petitioner is concerned but granted insofar as the 2nd Petitioner therein/A2/Mother of the Petitioner.

5. It is now stated by the learned counsel for the Petitioner that there is a young infant child who has to be taken care of and the Petitioner alone is taking care of the child. He also stated that the Petitioner is also a disabled person and the investigation is also proceeded.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. 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 Judicial Magistrate No. I at Tindivanam**, 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



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

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