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Crl.O.P.No. 29103 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.29103 of 2023

1.Pattathal
2.Arulmani

... Petitioners

Vs.

The State rep by
The Inspector of Police,
Pennadam Police Station,
Cuddalore.

Crime No.178 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioners / Accused on bail in Crime No.178 of 2023

pending on the file of the respondent police.

For Petitioners : Mr.P.Muthamizhselvakumar

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor.

ORDER

The petitioners who were arrested and remanded to judicial custody on 08.11.2023, seek bail in Crime No.178 of 2023, which was registered by the respondent Police for the offences under Sections 174 of Cr.P.C and later



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altered to 306 of I.P.C.

2.The case of the prosecution is that the petitioners are the parents of A1. A1 married the defecto-complainant's daughter. After the marriage, the accused demanded dowry from the defecto-complainant's daughter/deceased. On 01.09.2023, the deceased lodged a complaint in this regard before the All Women Police Station, Ariyalur. During the compromise outside the Police station, the petitioners abused the deceased and refused to give the Thali. Due to the frustration, the deceased poured kerosene and committed suicide. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners who are the in-laws of the deceased, are the innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have been in judicial custody from 08.11.2023 and A4 was already released on bail by this Court. Hence, he seeks for granting bail to the petitioners.

4.The learned Additional Public Prosecutor for the respondent submitted that the DRO enquiry was completed and awaiting for the report. Hence, she opposed for granting of bail to the petitioners.

5.Heard both side and perused the materials available on record.



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6.Considering the rival submissions made on either side and taking into consideration the period of incarceration undergone by the petitioner and also considering that A4 was already released on bail, I am inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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 learned Judicial Magistrate, Thittakudi and on further conditions that:

[b] the petitioners shall report before the respondent police, daily at 10.00 A.M. untill further orders.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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



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To

1. The Judicial Magistrate, Thittakudi.
2. The Inspector of Police,
Pennadam Police Station,
Cuddalore.
3. The District Women Prison, Cuddalore.
4. The District Prison, Cuddalore
5. The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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