



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/06/2023

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11540 of 2023

S.Guhan ... Petitioner/Accused No.1

Vs

The State Rep.by
The Sub Inspector of Police,
Karur Town Police Station
Karur District.(Crime No.262/2023).
... Respondent/Complainant

For Petitioner : M/s.D.Shanmugaraja Sethupathi,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

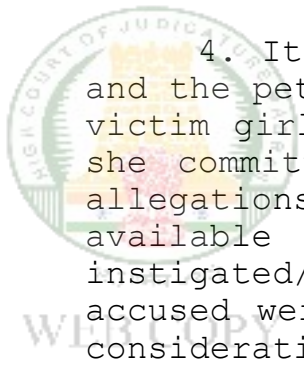
For Anticipatory Bail in Crime No.262 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174 (3) Cr.P.C. altered into Section 306 IPC in Crime No.262 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant's daughter were husband and wife. The defacto complainant's daughter committed suicide by hanging herself in the matrimonial home. Hence, the case.

3. Heard both side and perused the materials available on record including the First Information Report.



4. It is seen that there are totally four accused in the case and the petitioner herein is arrayed as A1. He fell in love with the victim girl and got married on 05.03.2021. Thereafter on 05.01.2023 she committed suicide in the matrimonial home. Though there are allegations as against all the accused persons there is no material available to show that the soon before the death the petitioner instigated/abetted the deceased to commit suicide. All the other accused were granted anticipatory bail by this Court. Taking into consideration all the above facts and circumstances of the case this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

5. 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 learned Judicial Magistrate No.I, Karur 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 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 am., for a period of four weeks and thereafter as and when required for interrogation.

[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].

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

sd/-
27/06/2023

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE NO.I, KARUR.

2 DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE SUB INSPECTOR OF POLICE
KARUR TOWN POLICE STATION
KARUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SHANMUGARAJA SETHUPATHI Advocate SR.No.9678

ORDER

IN

CRL OP(MD) No.11540 of 2023

Date :27/06/2023

MGJ(04.07.2023) 3P 6C