



Crl.O.P.No.13817 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Section 306 IPC in Crime No.356 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that the deceased had love affair with one Devi and had given assurance to marry her. On 30.03.2024, the said Devi made a complaint against the deceased before the Women Police Station for not marrying her. The deceased had married the said Devi in the police station. After that the petitioner along with other accused were continuously pressuring the deceased to register their marriage through phone and that the deceased had committed suicide by hanging. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that he was an innocent and nothing to do with the allegation made in the complaint and that if he is not enlarged on bail he will be put to serious loss and hardship. He belongs to a good family and there is no criminal case pending against him. He undertakes that he will not directly or indirectly make any inducement, threat



or promise to any person acquainted with the facts to the case or to any police officer. He undertakes not to tamper with the evidence or the witnesses in any manner. Hence he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioner. A5 in this case was arrested by the police and co-accused also granted bail. In this case investigation completed.

5.The learned counsel appearing for the intervenor would submit that the petitioner along with other accused compelled the deceased to marry Devi. Due to mental stress, the deceased committed suicide by hanging. Hence she opposed for grant of anticipatory bail to the petitioners.

6.Heard the learned counsel for the petitioners, intervenor and the learned Government Advocate (Crl.Side) and perused the materials available on record.

7.Taking into consideration the facts and circumstances of the case, investigation almost completed, co-accused released on bail, this Court is inclined to grant anticipatory bail to the petitioner.



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8. Accordingly, the petitioner is directed 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, Tiruvannainallur, 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 the petitioner, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear before the respondent police on every Saturday 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 Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

13.06.2024

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