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CrI.O.P.No.12164 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

CrI.O.P.No.12164 of 2024

V.Mani

... Petitioner/Sole Accused

Vs.

The State rep. by its,
The Station House Officer,
Kallakurichi Police Station,
Kallakurichi Dt.
Crime No.216 of 2024

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in Crime No.216 of 2024 on the file of the respondent Police.

For Petitioner : Mr.P.Rajavel

For Respondent : Ms.Inshiya Farveen Iqbal
Government Advocate (CrI. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 12.04.2024 for the offences under Sections 305 I.P.C., 75 of Juvenile Justice Act, in Crime No.216 of 2024 on the file of the respondent Police,



Crl.O.P.No.12164 of 2024

seeks bail.

2. The case of the prosecution is that the daughter of defacto complainant committed suicide about four years back due to misunderstanding between her and her husband/petitioner herein. She got three children and they are residing with their father viz., the petitioner herein. While being so, one of her grand children used to contact the defacto complainant and report that the petitioner is said to have allegedly committing cruelty upon the children and also abusing them in filthy language and not providing any necessities to them. However, on 12.04.2024 at about 3.00 a.m., the defacto complainant was informed through phone and her grand daughter viz., Vinothini, who is under the custody of petitioner committed suicide due to the cruelty of the petitioner.

3. The learned counsel for the petitioner stated that as the petitioner's daughter have a love affair with a boy, he warned her daughter, due to which she committed suicide. He would submit that he is an innocent person and he has been falsely implicated in this case.



Crl.O.P.No.12164 of 2024

WEB COPY

3.The learned Government Advocate (crl.side) raised objections stating that the petitioner's daughter committed suicide due to the harassment made by him and investigation is almost completed.

4.Having regard to nature of allegation made against the petitioner and taking into consideration, the period of incarceration and also of the fact that the investigation is almost completed, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5.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, **(one must be a blood surety)**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1, Kallakurichi, Kallakurichi District**, and on further conditions that:-

[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,



CrI.O.P.No.12164 of 2024

everyday at 10.30 a.m., until further orders.

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[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.

29.05.2024

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To



CrI.O.P.No.12164 of 2024

- 1.The Judicial Magistrate No.1,
Kallakurichi, Kallakurichi Dt.
- 2.The Station House Officer,
Kallakurichi Police Station,
Kallakurichi Dt.
- 3.The Central Jail at Cuddalore, Cuddalore Dt.
4. The Public Prosecutor, High Court of Madras.

S.SOUNTHAR, J.



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CrI.O.P.No.12164 of 2024

rpp

CrI.O.P.No.12164 of 2024

29.05.2024