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Crl.O.P.No.20182 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.20182 of 2024

Prasanth

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thondamuthur Police Station,
Coimbatore.
(Crime No.145 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail connected with Crime No.145 of
2024 on the file of the respondent Police.

For Petitioner : Mr.S.Selvakumar

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 01.07.2024, for the alleged offences punishable under Section 174(3)
Cr.P.C @ Section 306 of IPC, in Crime No.145 of 2024, on the file of the



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respondent police, seeks bail.

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2. The case of the prosecution is that the defacto complainant is the mother of the deceased. The petitioner is the husband of the deceased and they loved each other. It is alleged that after marriage, the deceased had given a sum of Rs.5,00,000/- by obtaining a loan through a self-help group. The further allegation is that the petitioner is having illicit relationship with another lady and he had spoken with her in front of the deceased over the phone, This created mental agony and stress in the minds of the deceased, due to which, on 01.07.2024, she committed suicide by hanging. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as there is no reason for the continuous harassment of the deceased. The petitioner has not committed any offence as alleged in the FIR. He was arrested and is in judicial custody for more than 40 days and is ready to abide



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by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would contend that the deceased had committed suicide within three months from the date of their marriage. He further submit that the petitioner harassed her by talking with another lady in front of the deceased through phone, due to which, she got mental agony and stress and therefore, she has committed suicide by hanging. He further submit that the deceased had written a suicide note which has been recovered by the investigation agency. He further submitted that the investigation in this case is almost completed. However, he vehemently, opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and also perused the materials available on record.



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6. Considering the submissions of the learned counsel on either side, period of incarceration undergone by the petitioner, and the relationship between the parties and also considering the fact that the investigation was also completed and also considering all other factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate No.6, Coimbatore, and on further conditions that:-

[a] the petitioner shall report before the Judicial Magistrate No.6, Coimbatore, on all working days at 10.30 a.m., until further orders.

[b] the petitioner shall not commit any offences of similar nature.

[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



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Judicial 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 269 BNS.

21.08.2024

drl

To

- 1.The Judicial Magistrate No.6,
Coimbatore.
- 2.The Inspector of Police,
Thondamuthur Police Station,
Coimbatore.
- 3.The Superintendent,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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