



CRL O.P. No.20865 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.20865 of 2024

Manikandan.K

... Petitioner / Accused

Vs

State rep. by
The Inspector of Police,
Ramapuram Police Station.

(Crime No.324 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioner on bail in Crime No.324 of 2024, on the file of the respondent.

For Petitioner : Mr.S.Marshall

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 31.07.2024 for the offences punishable under Section 194 of BNSS, 2023, in Crime No.324 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the defacto complainant's daughter and the petitioner had love affair. On 27.07.2024 at about 3.00 p.m., the deceased along with her friends went to the house of the petitioner and on the same day, she informed to her friends that she will be going to Villupuram for the treatment of the petitioner. On the next day, the petitioner called the defacto complainant and informed him that his daughter committed suicide. After enquiry, it was found that the petitioner had love affair with some other girl, when the same was questioned by the deceased, the petitioner assaulted her with Dosai Karandi, due to which, the deceased committed suicide by hanging. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has nothing to do with the



alleged offence and there is no previous case against the petitioner. He would further submit that the petitioner has been in custody for more than 40 days. He would also submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the defacto complainant's daughter and the petitioner had love affair and the petitioner is also had love affair with another girl. When the same was questioned by the deceased, a wordy quarrel arose which escalated into violence, due to which, the deceased committed suicide by hanging. He would further submit that there is no previous case against the petitioner. However, he raised serious objections to grant bail to the petitioner.

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

6. Considering the relationship between the deceased and the



petitioner and that there was love affair between them and also considering that there is no previous case against the petitioner and that the number of days of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] 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 each for a like sum to the satisfaction of the **Judicial Magistrate I, Poonamallee**, and on further conditions that;

[b] the Petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[e] the Petitioner shall not abscond 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 Petitioner in accordance with law as if the conditions have



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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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

12.09.2024

ata

To

- 1.The Judicial Magistrate I, Poonamallee.
- 2.The Inspector of Police,
Ramapuram Police Station.
- 3.Central Prison – II, Puzhal.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.
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