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CrI.O.P.No.21034 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

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

CrI.O.P.No.21034 of 2024

Aandharaj

... Petitioner

Vs.

The State represented by,  
The Sub-Inspector of Police,  
Veppankuppam Police Station,  
Vellore District.  
(Crime No. 386 of 2024).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S.,  
2023 to enlarge the petitioner on bail in Crime No.386 of 2024, pending on  
the file of the respondent police.

For Petitioner : Mr.M.R.Thangavel

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

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 05.08.2024, for the alleged offence punishable under Section 194(3) of



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BNS Act @ 108 BNS, in Crime No.386 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.08.2024, at about 3.30 p.m, due to a family dispute between the petitioner and the deceased regarding, attending his relative's puberty function, there was a wordy quarrel between them, due to which, she committed suicide by hanging, admitted in the hospital, and later died. 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. He has not committed any offence as alleged in the FIR. He further submit that the petitioner was arrested and is in judicial custody for more than 25 days and is ready to abide 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 submitted that the petitioner is the husband of the deceased. They got married in the year 2019. On the date of the alleged occurrence,



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there is a family dispute, between them, due to which, she committed suicide by hanging. He further submits that R.D.O., enquiry is still pending. He further submits that the petitioner has no previous cases pending against him. However, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, nature of offence, and considering the period of incarceration undergone by the petitioner, and considering the family dispute between the parties and also considering that there is no previous complaint given as against the petitioner and also considering that the petitioner has no previous cases, and also considering all others 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.III, Vellore, and on further conditions that:-



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[a] the petitioner shall report before the respondent police everyday 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 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.

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To  
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- 1.The Judicial Magistrate No.III,  
Vellore.
- 2.The Sub-Inspector of Police,  
Veppankuppam Police Station,  
Vellore District.
- 3.The Superintendent,  
Central Prison, Vellore.
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**



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