



Crl.O.P.No.21506 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.21506 of 2024

Sriraman

...Petitioner/Accused

Vs.

The State rep by its
The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.

(Crime No.178 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.178 of 2024 on the file of respondent police.

For Petitioner : Mr.S.P.Yuvaraj

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



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CrI.O.P.No.21506 of 2024

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.07.2024 for the offences punishable under Section 194 of BNS @ 108 of BNS, in Crime No.178 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant's daughter, aged about 20 years was studying III year B.A., Economics in Government Arts College, Mettur. While the victim was going to college, the petitioner followed her, compelled her and tortured her to love him, due to which, on 18.07.2024, she 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 and the deceased had love affair and when the matter was came to the knowledge of the parents, they



Crl.O.P.No.21506 of 2024

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threatened the deceased not to speak with the petitioner and not to go to college and only because of the acts of the parents, the deceased committed suicide. He would also submit that there is no previous case against the petitioner and the petitioner has been in custody for more than 45 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 while the victim was going to college, the petitioner followed her, compelled her and tortured her to love him, due to which, on 18.07.2024, she has committed suicide by hanging. He would further submit that there is no previous case against the petitioner. However, he vehemently opposed to grant bail to the petitioner.

5.I have heard the representation made by the learned counsel on both side.



6. Considering the nature of offences and that the period of incarceration undergone by the petitioner and also considering that there is no previous case as against the petitioner and all other aspects, this Court is inclined to grant bail to the petitioner with certain 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 No.II, Mettur**, and on further conditions that;

[b] the Petitioner shall report before the respondent police everyday 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



CrI.O.P.No.21506 of 2024

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]; and

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

03.09.2024

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To

- 1.The Judicial Magistrate No.II, Mettur.
- 2.Central Prison, Salem.
- 3.The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

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CrI.O.P.No.21506 of 2024

CrI.O.P.No.21506 of 2024

03.09.2024