



Crl. O.P. No.23393 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Section 174(1) of Cr.P.C, altered to Section 306 of IPC in connection with the Cr. No.72 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the deceased are husband and wife, that from the date of marriage, the petitioner along with his family members, caused cruelty on the deceased, abused her and demanded dowry and at this stage, on 31.03.2024 at about 9.45 p.m., the deceased wife committed suicide by firing herself. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered this case against the petitioner under Section 174(1) of Cr.P.C. and further it was altered to Section 306 of IPC, that the complaint has been lodged against the petitioner by alleging that due to the cruelty and torture committed by the petitioner, the wife of the petitioner has committed suicide by firing herself and the petitioner is no way connected with the suicide committed by the deceased, that the



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petitioner is an innocent, he is ready to abide by any condition imposed by this Court and hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the father of the deceased lodged a complaint against the petitioner alleging that the petitioner, being the husband of the deceased, had committed cruelty on her daughter, abused and demanded dowry and due to the torture of the petitioner and his family members, the deceased committed suicide on 31.03.2024 at about 9.45 p.m. by firing herself, that initially the case was registered under Section 174(i) of Cr.P.C. and then it was altered under Section 306 of IPC. Hence he objected to grant anticipatory bail to the petitioner. However, the learned Government Advocate appearing for the State has admitted that investigation is almost completed and there is no previous case pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences alleged against the petitioner, considering the fact that there is matrimonial dispute pending between the parties, that there is no previous case pending against the petitioner, that though FIR was



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registered on 06.04.2024, the respondent police have not taken any steps to secure the accused and that the investigation is almost completed, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Principal District and Sessions Court, Cuddalore District** on condition that the petitioners shall 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on daily at 10 a.m. until further orders;

[b] 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 them from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous



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permission of the Court;

[d] the petitioner shall not abscond 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 269 B.N.S.2023.

26.09.2024

mjs

P.DHANABAL,J
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To

- 1.The Principal District and Sessions Court, Cuddalore District
2. The Public Prosecutor, High Court, Madras.
- 3.The Station House Officer, Mandharakuppam Police Station.



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