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Crl.O.P.No.29100 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29100 of 2024

Thiruppathirajan @ Deepak Rajan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
M-7, Manaliputhunagar Police Station,
Thiruvallur District.
(Crime No.469 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with Crime No.469 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 22.10.2024 seeking bail in Crime No.469 of 2024 registered under Section 194 of BNSS and later, altered



Crl.O.P.No.29100 of 2024

for the offence under Section 108 of BNS.

2. The case of the prosecution is that based on the complaint given by the de facto complainant/father of the deceased that her daughter had committed suicide by hanging in her room, a case in Crime No.469 of 2024 came to be registered under Section 194 of BNSS. Later, during the course of investigation, it came to light that the petitioner got engaged to the victim/deceased on 15.10.2024, and later, due to some misunderstanding, the petitioner had refused to marry the victim/deceased, therefore, the victim had committed suicide by hanging. Therefore, the case has been altered to one under Section 108 of BNS. Hence the case.

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 also submitted that the victim had committed suicide due to some other reasons and even the petitioner was not aware of the same and he has not abetted the victim to commit suicide. He further submitted that there is no material to show that the petitioner had abetted the victim to commit suicide, however, the petitioner is in custody from 22.10.2024. Hence, he prayed for grant of bail to the petitioner stating that the petitioner is ready to abide by any stringent conditions



Crl.O.P.No.29100 of 2024

that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that since the petitioner, without stating any proper reason, had refused to marry the de facto complainant's daughter/victim after their engagement, thereby, the victim had committed suicide by hanging. He further submitted that investigation in this case is pending.

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

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with



Crl.O.P.No.29100 of 2024

two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thiruvottiyur, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday and 6.30 p.m., for a period of two weeks and thereafter, every Saturday at 10.30 a.m., until further orders;

[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 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.



CrI.O.P.No.29100 of 2024

21.11.2024

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To

1. The Judicial Magistrate,
Thiruvottiyur, Chennai.
2. The Inspector of Police,
M-7, Manaliputhunagar Police Station,
Thiruvallur District.
3. The Superintendent,
Central Prison,
Puzhal – II, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.29100 of 2024

A.D.JAGADISH CHANDIRA.,J.

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Crl.O.P.No.29100 of 2024

21.11.2024