



CRL OP(MD) No.4415 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twentieth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.4415 of 2024

DINESH KUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
SRIVLLIPUTHUR TOWN POLICE STATION,
VIRUNDHUNAGAR DISTRICT.
CRIME NO.45/2024.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.JEGADEESH PANDIAN, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.45/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 174 of Cr.P.C. @ Section 306 of IPC and Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 20003, in Crime No.45 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's husband was



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working as a watchman in the private school and he committed suicide by hanging himself on the school premises. Thereafter, the respondent police recovered the phone number and account details from the shirt pocket of the deceased and on perusal of the recovery item, the petitioner was implicated in the above said offence. It is the further case of the prosecution that the defacto complainant's husband borrowed money from the petitioner and thereafter, he failed to repay the same. Thereby, the petitioner threatened the deceased. Due to which, the deceased committed suicide by hanging himself. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution. Even a bare perusal of the paper, which was recovered from the deceased's shirt pocket, revealed that one Baina caused the death of the deceased and the petitioner's name is Kumar and the account details show that some amount was borrowed by the deceased from the petitioner and except this allegation, no other allegation was made against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that the investigation is in preliminary stage and the recovered slip revealed that one Baina caused the death of the deceased and the petitioner's name is Kumar.

5.Considering the facts and circumstances of the case and also considering the



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facts that no specific overt act is attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is ordered and 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, on condition that the petitioner 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during



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investigation or trial;

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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/03/2024

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/03/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-3606[I] dated 22/03/2024)
ORDER
IN
CRL OP(MD) No.4415 of 2024
Date :20/03/2024

RS/VR/SAR-(25.03.2024) 5P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023