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Crl.OP.No.6625 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6625 of 2025

Manivannan

.. Petitioner/Accused -2

Vs.

The State rep by
The Inspector of Police,
Jamunamarathur Police Station,
Tiruvannamalai District.
(Crime No.13 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.13 of 2025 on the file of the respondent
Police.

For Petitioner : M/s.E.Sathiyaraj Elangovan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Section 296(b), 108 of BNS Act and Section 4(B)(2) of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.13 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the brother of one Prabakaran/A1, who had consensual relationship with the victim; that the victim is the defacto complainant's daughter; that after promising to marry the victim, the said Prabakaran/A1 refused to marry the victim and that the petitioner prevented the said Prabakaran/A1 from marrying the deceased and aggrieved by this, the deceased committed suicide.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that admittedly, the first accused and the deceased had love affair for the past 5 years; that the petitioner, who is the brother of the first accused, had nothing to do with the alleged relationship between the first accused and the deceased; that in any case, the petitioner cannot be held guilty for the victim's suicide as he has not committed any positive act towards the commission of suicide.

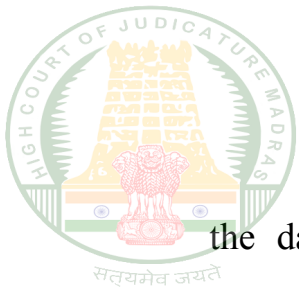


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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and produced a copy of the suicide note.

5. This Court perused the suicide note. In the said suicide note she had admitted her consensual relationship with the first accused. Her only grievance against the petitioner is that he did not accept the marriage proposal. Considering the nature of allegations against the petitioner and since he had no direct relationship with the deceased, who had consensual relationship with the first accused, this Court is of the view that, custodial interrogation of the petitioner is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. 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



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the date on which the order copy is made ready, before the **learned Judicial Magistrate, Polur, Tiruvannamalai District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 appear before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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]**;



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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Index : Yes / No
Internet : Yes / No
dpa

To

- 1.The Inspector of Police,
Jamunamarathur Police Station,
Tiruvannamalai District.
2. The learned Judicial Magistrate, Polur,
Tiruvannamalai District
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN , J.

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