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Crl.OP.No.16264 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.16264 of 2022

1. Vijayakumari
2. Sudha

...Petitioners

Vs.

State, Rep. by
The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.
Crime No.316 of 2022

...Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C.

praying to enlarge the petitioners on bail in connection with Crime No.316 of 2022 on the file of the respondent police.

For Petitioners : Mr.K.Vijayakumar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.07.2022 for the offence under Section Women Missing subsequently altered to Section 306 of IPC, in Crime No.316 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there are totally three accused and the petitioners are neighbours to the deceased. It is alleged that the deceased had illegal intimacy with a third party and it was came to the knowledge of the petitioners, due to which, the deceased committed suicide. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the deceased's mother warned the deceased about the illegal intimacy, for which, she committed suicide and the petitioners are no way connected to the alleged offence. That apart, the petitioners were arrested and remanded to judicial custody on 03.07.2022. Hence, he prays for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor submitted that the



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investigation in this case almost completed. However, he vehemently opposed for granting bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioners ie., from 03.07.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, petitioners is ordered to be released on bail on his executing separate bond for a sum of Rs.10,000/- (**Rupees ten thousand only**) with **two blood related sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Panruti** 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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial.



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WEB COPY [d] the petitioners 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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1. Judicial Magistrate No.I, Panruti

2. The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.

3. The Central Women Prison,
Cuddalore.

4. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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