



Crl.O.P.No.18603 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

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

Crl.O.P.No.18603 of 2022

Murugan

...Petitioner

Vs.

The State rep by
Station House Officer,
Ramanatham Police Station,
Cuddalore District.
Crime No.296 of 2022

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail relating to Crime No.296 of 2022
on the file of the respondent police.

For Petitioner : Mr.N.U.Presanna

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



Crl.O.P.No.18603 of 2022

complainant that her daughter was carrying a female child in her womb.

Thereafter, as per the advice of the petitioner herein and the nurses, again on 05.05.2022, the *defacto* complainant, her daughter Anitha and her son-in-law Velmurugan went to the Om Sakthi Medical Centre and paid a sum of Rs.30,000/- for abortion. Treatment was conducted and during the treatment, *defacto* complainant's daughter lost her consciousness and fainted. Hence, the petitioner took her in his car bearing Reg No. TN 91 R 7346 to one Arputha Hospital at Perambalur, where the treatment was rejected and then she was taken to Amma Hospital and there also the treatment was rejected. Finally, she was taken to the Perambalur Government Hospital and was admitted at ICU. Alleging that all the incidents had taken place only because of the petitioner, the *defacto* complainant lodged a complaint against the petitioner.

3. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie., from 05.07.2022, this Court is inclined to grant bail to the petitioner.

4. Accordingly, the petitioner is ordered to be released on bail on



Crl.O.P.No.18603 of 2022

his executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thittagudi** 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]petitioner shall report before the respondent police twice daily at 10.30.a.m., and 04.30.p.m., for a period of four weeks and thereafter as and when required for interrogation;

[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



Crl.O.P.No.18603 of 2022

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.

10.08.2022

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To:

1. Judicial Magistrate,
Thittagudi.
2. Station House Officer,
Ramanatham Police Station,
Cuddalore District.
3. Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras



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Crl.O.P.No.18603 of 2022

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.18603 of 2022

10.08.2022