



CrI.O.P.No.5275 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

CORAM

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

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E.Veeran @ Veerayya

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Pathirivedu Police Station,
Tiruvallur District.

(Crime No.13 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with the Crime No.13
of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Suresh

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.01.2023, for the alleged offence punishable under Section 302 of IPC, in Crime No.13 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the *de-facto* complainant, Karthick, is that her mother was found dead in her house with injuries over her body. On the complaint given by him, a case in Crime No.13 of 2023 was registered for the offence under Section 302 IPC. Later, during the course of investigation, it came to light that the deceased had illicit intimacy with the accused and later, their relationship got severed, due to which, the accused had committed murder of the de-facto complainant's mother. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, aged about 60 years and he has been falsely implicated in this case. He further submitted that absolutely there is no eye-witness to the occurrence and the petitioner has been implicated in this case,



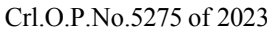
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only based on the circumstantial evidence and the confession alleged to have been recorded from him. He also submitted the the petitioner is in custody from 23.01.2023, hence, he prayed to grant bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is the paramour of the mother of the de-facto complainant and since she has severed the relationship with the petitioner, there was a quarrel between them and during which, he had committed murder of the de-facto complainant's mother. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner 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.10,000/- (Rupees Ten thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Gummidipoondi**, 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 stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, everyday 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



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in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

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

07.03.2023

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To

1. The District Munsif cum Judicial Magistrate,
Gummidipoondi.
2. The Inspector of Police,
Pathirivedu Police Station,
Tiruvallur District.
3. The Central Prison,
Puzhal, Chennai.
4. The Inspector of Police,
Villupuram Town Police Station,
Villupuram.
5. The Public Prosecutor,
High Court of Madras.



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