



Crl.O.P.No.13917 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

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

Crl.O.P.No.13917 of 2023

R.Jeeva @ Jeevanandham

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
P3 Vysarpadi Police Station,
Chennai.

(Crime No.94 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in connection with the
Crime No.94 of 2023, pending investigation on the file of the respondent
Police.

For Petitioner : M/s.R.Shakthi Priya

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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Crl.O.P.No.13917 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.04.2023 for the offences punishable under Section 302 of IPC in Crime No.94 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner had committed the murder of his wife suspecting her fidelity on 20.04.2023. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that even as per the prosecution, the allegations made against the petitioner is that he has committed the offence by suspecting the fidelity of his wife. He would also submit that the petitioner is in custody from 21.04.2023, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner was married to the victim during the year 2015 and they have no children and there were frequent



Crl.O.P.No.13917 of 2023

quarrels between them. He would further submit that on 20.04.2023, the petitioner, suspecting the fidelity of his wife, has quarreled with her, during such time, he had committed the murder of his wife by strangulating her with a Dupatta. He would also submit that the major part of the investigation has been completed and the Post Mortem Report has also been received. However, he opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent Police 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 on either side 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 X**



Crl.O.P.No.13917 of 2023

Metropolitan Magistrate, Egmore 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 report before the respondent Police, 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 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.

22.06.2023

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Crl.O.P.No.13917 of 2023

To

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1. The X Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
P3 Vysarpadi Police Station,
Chennai.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.13917 of 2023

A.D.JAGADISH CHANDIRA.,J.

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Crl.O.P.No.13917 of 2023

22.06.2023