



Crl.O.P.No.14457 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

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

Crl.O.P.No.14457 of 2023

Chinnaraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Uddanapalli Police Station,
Krishnagiri District.

(Crime No.64 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 Crime
No.64 of 2023, pending on the file of the respondent Police.

For Petitioner : Mr.E.Kannadasan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.05.2023, in connection with Crime No.64 of 2023, registered under Section 174 Cr.P.C and later, altered for the offence punishable under Section 302 of IPC, on the file of the respondent police, seeks bail.

2. Based on the complaint given by one Venmathi, Village Administrative Officer, Sanamavu village that on 19.03.2023, a partially burnt and a decomposed body of an unknown male aged around 35 to 40 years was found to be lying dead in her village, a case in Crime No.64 of 2023 was registered under Section 174 Cr.P.C. During the course of investigation, it came to light that the petitioner, who is the paramour of the wife (A1) of the deceased/victim, had joined with A1 and had committed murder of the deceased/victim and in order to screen the evidence, they have burnt the body. Thereby, the case has been altered to one under Section 302 of IPC. Hence the case.



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5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire 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 Judicial Magistrate No.II, Hosur**, 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 Chennai and report before the Inspector of Police, Pallikaranai Police Station, everyday 10.30 a.m., until further orders;



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[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.

28.06.2023

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To

1. The Judicial Magistrate No.II, Hosur.
2. The Inspector of Police,
Uddanapalli Police Station,
Krishnagiri District.
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Pallikaranai Police Station,
Chennai.



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A.D.JAGADISH CHANDIRA.,J.

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