



Crl.OP.No.14636 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

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THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.OP.No.14636 of 2023

Karthick

..Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.
Crime No.132 of 2023

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.132 of 2023 pending
investigation on the file of the respondent police.

For Petitioner : Mr.T.Dhasarathan

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 10.04.2023 for the offences punishable under Section 302 of IPC in Crime No.132 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in Crime No.302 of 2023 and he was implicated based on suspicion. He further submitted that, petitioner is an innocent person and he is in judicial custody from 10.04.2023. Therefore, he prays for release of the petitioner.

3. In reply, the learned Government Advocate (Crl. Side) submitted that, investigation in this case is completed and final report was also filed. He further submitted that, case was taken cognizance in P.R.C.No. 08 of 2023 on the file of the Judicial Magistrate, Sendamangalam.



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4. Reading of the FIR allegations shows that, petitioner was charged for committing the murder of the deceased Sundarrajan, in connection with the illicit intimacy with one Parameshwari. It is alleged that, deceased Sunderrajan had illegal intimacy with one Parameshwari. Parameshwari is said to have developed illegal intimacy also with the petitioner. On knowing to this, the deceased Sunderrajan said to have reprimanded the petitioner. Enraged at this, petitioner said to have stabbed the deceased and caused the death on 10.04.2023 at early morning.

5. Consideration of the materials and the submissions of learned counsel appearing for the parties show that, investigation in this case is completed and the case is now taken on file in P.R.C.No.08 of 2023. Considering the period of incarceration undergone by the petitioner ie., from 10.04.2023, this Court is inclined to grant bail to the petitioner.

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



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on his executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Sendamangalam, Namakkal District** 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 daily 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



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

30.06.2023

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To

1. The Judicial Magistrate,
Sendamangalam,
Namakkal District.
2. The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.
3. Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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