



Crl.OP.No.15793 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.07.2023

CORAM

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

Crl.OP.No.15793 of 2023

Karthik

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Jolarpet Police Station,
Jolarpet, Thirupathur District.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.176 of 2023 on the file of the Inspector of Police, Jolarpet Police Station, Jolarpet, Thirupathur District.

For Petitioner : Mr.G.Vinodh Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.05.2023 for the offences punishable under Section 305 read with Section 511 of IPC in Crime No.176 of 2023 on the file of the respondent police, seeks bail

2. The learned counsel for the petitioner submitted that, petitioner is an innocent person and he has been falsely implicated in a case registered for the offence under Sections 305 read with Section 511 of IPC in Crime No.176 of 2023. Petitioner is in Judicial Custody from 24.05.2023. Thus, he seeks bail to the petitioner.

3. In response, the learned Government Advocate (Crl. Side) submitted that, petitioner was in love with the victim girl concerned in Crime No. 158 of 2023. In that case, petitioner was arrested. However, petitioner's remand was refused by the learned Magistrate for the reason that it was a case of love affair. Thereafter, one of the friends of the petitioner had informed the victim girl that the petitioner would not marry her. Therefore, victim girl had attempted to commit suicide and that is how, this case was registered.

4. Considering the nature, facts and circumstances of the case



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and the petitioner is in Judicial Custody from 24.05.2023 and that substantial part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail 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 No.I, Tirupathur** 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



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

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To



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1. Judicial Magistrate No.I, Tirupathur.

2. The Inspector of Police,
Jolarpet Police Station,
Jolarpet, Thirupathur District.

3. Central Prison,
Vellore.

4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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