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Crl.O.P.No.18869 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

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

**Crl.O.P.No.18869 of 2023**

1.Mohanraj

2. Vinothini

3.Sasikumar

...Petitioners

Vs.

State Rep by  
The Station House Officer,  
Kullanchavadi Police Station,  
Cuddalore District.  
(Crime No.168 of 2023).

...Respondent

**PRAYER:** Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No. 168 of 2023 pending investigation on the file of the respondent police.

For Petitioners : Mr.G.Pugazhenth

For Respondent : Mr.S.Rajakumar  
Additional Public Prosecutor



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**ORDER**

The petitioners, who were arrested and remanded to judicial custody on 01.06.2023 for the offence punishable under Section 174(1) Cr.P.C @ under Sections 302 and 201 IPC in Crime No.168 of 2023 on the file of the respondent police, seek bail.

2. Learned counsel for the petitioners submitted that, petitioners are accused in Crime No. 168 of 2023 for the offences under Section 174(1) of Cr.P.C altered into Sections 302 and 201 of IPC. He further submitted that, petitioners are innocents and they are falsely implicated in this case. Petitioners are in judicial custody from 01.06.2023. Thus, he prays for grant of bail.

3. In response, learned Additional Public Prosecutor submitted that, originally this case was registered under Section 174 of Cr.P.C., later altered into Sections 302 and 201 of IPC. The allegations against the accused in this case is that, deceased is the husband of A1. Deceased used to harass A1 and her children. Therefore, A1 decided to do away



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with the deceased with the help of A2 to A4. Deceased was given alcohol mixed with poison. After consuming alcohol, the deceased died. The investigation in this case is completed and final report is filed and pending in PRC.No.4 of 2023 on the file of District Munsif cum Judicial Magistrate, Kurinjipadi. However, he prays for dismissal of this bail petition.

4. Considering the fact that, investigation in this case is completed and final report is filed and that petitioners are in judicial custody from 01.06.2023, this Court is inclined to grant bail to the petitioners with conditions and the petitioners are ordered to be released on bail on thier executing separate 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 **District Munsif Cum Judicial Magistrate, Kurinjipadi, Cuddalore 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 petitioners shall report before the District**



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**Munsif cum Judicial Magistrate, Kurinjipadi. on all working days at 10.30 a.m., and sign and on the date of hearings, till the completion of trial.**

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

- 1.The District Munsif Cum Judicial Magistrate,  
Kurinjipadi, Cuddalore District.
- 2.The District Munsif cum Judicial Magistrate,  
Kurinjipadi.
- 3.The Station House Officer,  
Kullanchavadi Police Station,  
Cuddalore District.
- 4.The Central Prison,  
Cuddalore.
5. Special Prison for Women,  
Vellore.
- 6.The Public Prosecutor,  
High Court of Madras



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**G.CHANDRASEKHARAN. J.**

gd/ns1

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