



WEB COPY



Crl.O.P.No. 23174 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.23174 of 2023

Suresh

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
Vanur Police Station,
Viluppuram.
(Crime No.223 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner / Accused on bail in Crime No.223 of 2023
pending investigation on the file of the respondent Police.

For Petitioner : Mr.B.Sanjay Balachandar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 07.09.2023, registered by the respondent Police for the offence under
Sections 498(A), 116 and 306 of IPC, in Crime No.223 of 2023, seeks bail.



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2.It is stated that the marriage between the petitioner and the deceased took place about 14 years ago. The petitioner had suspected the fidelity of his wife and she had consumed poison on 03.09.2023. Thereafter, she was admitted in the hospital and died on 02.10.2023.

3.This Court had granted interim bail to the petitioner by an order dated 05.10.2023 and the petitioner had also surrendered back.

4.Taking into consideration that the deceased had been in hospital for nearly about a month and then died and also of the fact that the marriage took place about 14 years, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Sessions Judge, Magalir Neethi Mandram, (Fast Tract Court), Villupuram 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.



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[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 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.

30.10.2023

vkx

To

1. The Sessions Judge,
Magalir Neethi Mandram,
(Fast Tract Court), Villupuram.
2. The Inspector of Police,
Vanur Police Station,
Viluppuram.



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3. The Central Prison, Cuddalore

4. The Public Prosecutor,
High Court of Madras.

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