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Crl.OP.No.23311 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

Crl.OP.No.23311 of 2023

P.Madhan S/o. Panneelselvam

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Sevvapet Police Station,
Thiruvallur District.
(Crime No.521 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.521 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.R.Sankarasubbu

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.09.2023 for the offences punishable under Section 174(3) Cr.P.C., @ 306 of IPC in Crime No.521 of 2023 on the file of the respondent police, seeks bail.

2. The marriage between the petitioner and the deceased taken place on 01.02.2021 but the deceased committed suicide on 17.09.2023.

3. The learned counsel for the petitioner states that the petitioner had been taken into custody on 20.09.2023. He further states that the deceased had depression owing to the fact that she was not able to beget children.

4. In this connection, it is stated that the petitioner had taken the deceased to hospital for treatment and had also spent substantial amount for her treatment. However, the documents relating to her treatment were sought to be verified by the learned Government Advocate (Crl. Side) for



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the respondent and after verification, it is stated that the same had been granted.

4. In view of all these facts particularly that there can be depression also, I am 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 Judicial Magistrate – II, Thiruvallur, 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 appear before the respondent police everyday at 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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To

- 1.Judicial Magistrate – II, Thiruvallur.
- 2.Central Prison, Puzhal – II, Chennai.
- 3.The Inspector of Police,
Sevvapet Police Station,
Thiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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