



WEB COPY



Crl.O.P.No. 24583 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

CORAM

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

Crl.O.P.No.24583 of 2023

Manikandan C

... Petitioner

Vs.

The State rep. by:-

The Inspector of Police,

Tiruppur North Police Station,

Tiruppur City and District

(Crime No.1088 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner / Accused on bail in Crime No.1088 of 2023

pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.R.Kishore Kumar

Government Advocate (Crl.Side)

ORDER

The petitioner seeks bail in Crime No.1088 of 2023 registered by the respondent Police on 30.06.2023 under Section 302 of IPC. After investigation, the final report had been filed and had been taken cognizance as S.C.No.295 of 2023 and trial is now pending before the Fast Track



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Court/Mahila Court, Tiruppur.

2.It is stated that the deceased had originally married yet another person and later married the petitioner herein. The petitioner had suspected her fidelity and she had gone away to her parents house. The deceased was also prevented from speaking to her parents and thereafter, said to have committed the act of offence leading to registration of the FIR.

3.Taking into consideration that the investigation has been completed and the matter is now pending trial and to afford opportunity for conducting trial, this Court is inclined to grant bail to the petitioner with certain conditions.

4. 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 Judicial Magistrate No.I, Tiruppur 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 trial



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Court, on every Monday at 10.30 a.m., and also appear before the Court hearing dates except for unforeseen circumstances, till completion the trial;

[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.

31.10.2023

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To

1. The Judicial Magistrate No.I, Tiruppur.
2. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur City and District.



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3. The District Prison, Tiruppur.

4. The Public Prosecutor,
High Court of Madras.

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