



Crl.OP.No.24087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

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

Crl.OP.No.24087 of 2023

Dineshkaran S/o. Nagarajan

... Petitioner

Vs.

State by
The Station House Officer,
Inspector of Police,
Sembanar Kovil Police Station,
Mayiladuthurai.
(Crime No.362 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.362 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.P.Veeraraghavan

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



Crl.OP.No.24087 of 2023

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ORDER

The petitioner is the 2nd accused in Crime No.362 of 2023 seeks bail, which had been originally registered by the respondent police for the offences punishable under Sections 174(3) of Cr.P.C and 302 of IPC subsequently, altered to Sections 174(3) Cr.P.C and 304 of IPC.

2. It is stated that the husband of the victim left home for morning walk and the petitioner along with other accused were walking for pilgrimage purpose from Cuddalore to Velankanni. At that time, on the way, the petitioner along with other accused assaulted the deceased and caused injuries leading to death.

3. The learned counsel for the petitioner states that the petitioner is the student of Bio-Chemistry in St.Joseph College, Cuddalore.

4. The learned Government Advocate (Crl. Side) for the respondent states that all the accused had been secured and there is no previous case pending against the petitioner and the investigation is also practically



Crl.OP.No.24087 of 2023

completed.

5. Taking into consideration all these factors, I am inclined to grant bail to the petitioner with certain conditions.

6. 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 (one surety must be either the father or the mother of the petitioner), each for a like sum to the satisfaction of the Principal Sessions Judge, Mayiladuthurai, 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.

[c] the details that the petitioner is an accused in Crime No.362 of 2023 registered by the Inspector of Police, Sembanar Kovil Police Station, Mayiladuthurai, originally for the offences under Sections 174(3)



Crl.OP.No.24087 of 2023

Cr.P.C., and 302 and subsequently altered to 304 of IPC should be registered in the College records of the petitioner.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

18.10.2023

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Crl.OP.No.24087 of 2023

To

- 1.The Principal Sessions Judge, Mayiladuthurai.
- 2.Central Prison, Trichy, Tamil Nadu.
- 3.The Inspector of Police,
Sembanar Kovil Police Station,
Mayladuthurai.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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Crl.OP.No.24087 of 2023

Crl.O.P.No.24087 of 2023

18.10.2023