



WEB COPY



Crl.O.P.No. 24659 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.24659 of 2023

Santhosh

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
All Women Police Station,
Thirukoilur, Kallakurichi District.
(Crime No.34 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.34 of 2023
pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Sathish

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 09.09.2023, registered by the respondent Police for the offence under



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Sections 294(b), 323, 376 and 417 of IPC in Crime No.34 of 2023, seeks bail.

2.It is stated that there was a relationship between the petitioner and the defacto complainant and there was also a promise of marriage.

3.It is further stated by the respondent that the investigation has been completed and the final report would be filed very shortly.

4.In view of the particular fact that the investigation has been completed and the entire issue will have to be examined during the course of trial, 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 Judicial Magistrate, Thirukoilur, Kallakurichi 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.



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[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., till filing of the final report and thereafter, report before the Judicial Magistrate, Thirukoilur, everyday at 10.30 a.m., till committal and thereafter before the concerned Sessions Court, everyday, 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

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C.V.KARTHIKEYAN, J.

vkr

To

1. The Judicial Magistrate,
Thirukoilur, Kallakurichi District.
2. The Inspector of Police,
All Women Police Station,
Thirukoilur, Kallakurichi District.
3. The Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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