



WEB COPY



Crl.O.P.No. 24890 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

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

Crl.O.P.No.24890 of 2023

K.Kamaraj

... Petitioner

Vs.

The State rep by
The Inspector of Police,
M1 Police Station,
Madhavaram.
Crime No.472 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.472 2023
pending on the file of the respondent Police.

For Petitioner : Mr.A.Arasu Ganeshan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 13.10.2023 for the offence under Section 306 of IPC registered by the
respondent Police in Crime No.472 of 2023, seeks bail.



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2.It is stated that the petitioner and the deceased were friends and also had business connection with respect to a printing press. Over a business venture of printing, there arose a quarrel between both of them, for which, a Police complaint was lodged. Once again a quarrel escalated complaining about lodging of Police complaint. Thereafter, it is stated that the deceased went home and committed suicide.

3.The learned counsel for the petitioner stated that the only issue was about Rs.200/- and also stated that there was no malafide intention on the part of the petitioner herein to cause the deceased to take such a extreme step to commit suicide.

4.Taking all the factors into consideration, 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, Madhavaram, 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



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ensure their identity.

[b] the petitioner shall report before the respondent Police, every day 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.

09.11.2023

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To

1. The Judicial Magistrate, Madhavaram.
2. The Central Prison, Puzhal.

C.V.KARTHIKEYAN, J.



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3. The Inspector of Police,
M1 Police Station,
Madhavaram.
4. The Public Prosecutor, High Court of Madras.

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