



Crl.O.P.No.26286 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

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

Crl.O.P.No.26286 of 2023

Vadivel S/o. Vadamalai

... Petitioner/ Accused-1

Vs.

The State rep by
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.

(Crime No.606 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail in Crime No.606 of 2023
pending investigation on the file of the respondent police.

For Petitioner : Mr.Krishnasamy Chinnasamy

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



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ORDER

The petitioner is A1 in Crime No.606 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 302, 498A of IPC and later altered to Sections 114, 120B, 294(B), 302, 342, 364 & 498A of IPC, seeks bail. The petitioner has been in custody from 22.07.2023 for more than 100 days.

2.It is the case of the prosecution that the daughter of the defacto complainant had been murdered by the accused persons. It is stated that this particular petitioner had married the daughter of the defacto complainant but he was already a married person. The deceased therefore went back to her parents house, where the accused had committed the act of murder.

3.Taking into consideration the fact that investigation has been completed and final report had been filed and the same is pending before the Judicial Magistrate (Additional Fast Track Mahila Court), Villupuram, in P.R.C.No.9 of 2023, even though this Court had stated



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that the defacto complainant should be examined as a witness since within the considerable period of time the case has not yet been committed to the Court of Sessions and the fact that final report had been filed that is a substantial change in circumstance, I am inclined to grant bail to the petitioner subject to the following 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 Sessions Judge, Magalir Neethi Mandram (Fast Track Court), Villupuram, 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 Judicial Magistrate (Additional Mahila Court), Villupuram, everyday at 10.30 a.m., till the date of committal and thereafter, report before the concerned Sessions Court, everyday at 10.30 a.m., till the date of framing of charges.

[c] the petitioner shall not abscond either during investigation or



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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.

20.11.2023

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To

- 1.The Sessions Judge, Magalir Neethi Mandram (Fast Track Court),
Villupuram
- 2.The Central Prison, Cuddalore.
- 3.The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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