



Crl.O.P.No.26847 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM

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

Crl.O.P.No.26847 of 2023

Nagaraj
S/o.Elumalai

...Petitioner/Accused No.2

Vs.

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

(Crime No.606 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner/Accused No.2 arrested on Bail in Crime No.606 of 2023 pending on the file of respondent police on such terms and conditions.

For Petitioner : Mr.Krishnasamy Chinnasamy

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



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ORDER

The petitioner seeks bail in Crime No.606 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 302, 498 A of IPC and thereafter, altered to Sections 114, 120 B, 294(B), 302, 342, 364, 498 A of IPC. The petitioner had been taken into custody on 22.07.2023.

2.This Court had considered the bail application of the 1st accused in Crl.O.P.No.26286 of 2023, by an order dated 20.11.2023, had granted bail.

3.It is the case of the prosecution that A1 was married to the deceased and there were some differences of opinion between them and they had three children. The deceased along with the accused persons had gone over to the house of her parents and during conversation, there was a quarrel, which escalated into violence, leading to murder.

4.Taking into consideration the fact that investigation has been practically completed and the period of incarceration and also A1 had



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been granted bail, I am inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Session Judge, Magalir Neethi Mandram, (Fast Track Court), Villupuram and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police everyday 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



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of Kerala [(2005)AIR SCW 5560].

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

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To

1. The Session 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.



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C.V.KARTHIKEYAN. J.

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