



Crl.O.P.No.27709 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

Crl.O.P.No.27709 of 2023

Sanjeevi

...Petitioner/Accused

Vs.

State by
The Station House Officer,
Naduveerapattu Police Station,
Cuddalore District.
(Crime No.498 of 2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Crime No.498 of 2022 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.S.Dinesh Babu

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



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ORDER

The petitioner who was arrested and remanded to judicial custody on 18.10.2023 for the offences under Section 174(3) of Cr.P.C., subsequently altered to Section 306 I.P.C with respect to an incident took place in the year 2022 in Crime No.498 of 2022 on the file of the respondent police, seeks bail.

2. The deceased had married her husband on 12.09.2022, and less than two month, later on 02.11.2022, she committed suicide. The immediate cause for taking such a step was that, the petitioner and the deceased were earlier in relationship and the petitioner was in possession of the photographs to the disadvantage of the deceased and after her marriage, the petitioner had circulated the photographs to her husband and also in the social medial. This led her to commit suicide.

3. The earlier bail application in Crl.O.P.No.25924 of 2023 had been dismissed on 10.11.2023. The one change in circumstances that investigation has been completed and the charge sheet had been made ready and would be filed according to the prosecution till the few days before the jurisdictional court.



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4.Taking all the factors into consideration and the period of incarceration, 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 condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the Judicial Magistrate, Additional Mahila Court, Cuddalore, 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 respondent police on everyday at 10.30a.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.



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[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.

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To

1. The Judicial Magistrate, Additional Mahila Court, Cuddalore.
2. The Central Prison, Cuddalore.
3. The Station House Officer,
Naduveerapattu Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN,J.,

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