



Crl.O.P.No.27470 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

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

Crl.O.P.No.27470 of 2023

Rajesh S/o. Saravanan

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
H-4 Korukkupet Police Station,
Washermenpet.

(Crime No.166 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.166 of 2023 on the file
of the respondent.

For Petitioner : Mr.S.Senthilvel

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



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ORDER

The petitioner seeks bail in Crime No.166 of 2023, registered by the respondent police for the offences punishable under Section 174 of Cr.P.C., and subsequently, altered to Section 306 of IPC.

2.The petitioner had continuous on going relationship with the deceased from the time when they were adolescents. Subsequently, she had joined a college, where the petitioner suspected that she had friendship with yet another student of that same college. He had seen that it and had accosted her and questioned her about the same.

3.It is stated that she first tried to commit suicide by cutting her wrist, but later, the petitioner had taken her to her friend's house and left her. After that she had committed suicide. Incidentally the petitioner is an advocate.

4.The earlier application seeking anticipatory bail came up for consideration on 31.10.2023 and this Court had dismissed the same. Subsequently, the petitioner had been remanded to judicial custody on 13.11.2023.



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5. One significant change in circumstance is that investigation has been completed.

6. The learned Government Advocate (Crl. Side) for the respondent stated that though statements of the witnesses have been recorded. It is also stated that only the Forensic Report alone is to be obtained.

7. In view of that particular fact and the period of incarceration and the surrounding facts, I am inclined to grant bail to the petitioner subject to the following conditions:

8. 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 XV Metropolitan Magistrate, George Town, 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 everyday at 10.30 a.m., for a period of one week and thereafter, weekly once i.e., on every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.



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[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.

12.12.2023

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To

- 1.The XV Metropolitan Magistrate, George Town.
- 2.The Inspector of Police,
H-4 Korukkupet Police Station,
Washermenpet.
- 3.The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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