



Crl.O.P.No.27772 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.27772 of 2023

Prakash S/o. Varatharajan

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Bagayam Police Station,
Vellore District.

(Crime No.317 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.317 of 2023 on the file
of the respondent.

For Petitioner : Mr.T.Saravanan

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



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ORDER

The petitioner/A1 seeks bail in Crime No.317 of 2023, originally registered under Section 174(3) of CrI.P.C., and subsequently, altered to Sections 294(b), 323, 498(A) & 306 of IPC and Section 4B(1) of Women Harassment Act. The petitioner had been remanded to custody on 04.11.2023.

2.It is stated that co-accused in the case had filed anticipatory bail application before this Court and this Court had directed that those petitioners should surrender. Accordingly, the petitioner had been taken into custody on 04.11.2023.

3.Marriage between the petitioner and the deceased took place on 01.09.2022. Unfortunately, they did not have any children. She had committed suicide on 03.10.2023 and it is the case of the prosecution that the accused persons had demanded dowry of cash and gold.

4.Taking all the factors into consideration, 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



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only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.-I, Vellore, 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., 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.

12.12.2023

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C.V.KARTHIKEYAN, J.
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To

- 1.The Judicial Magistrate No.I, Vellore.
- 2.The Inspector of Police,
Bagayam Police Station,
Vellore District.
- 3.The Sub-jail, Gudiyatham.
4. The Public Prosecutor,
High Court of Madras.

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