



Crl.O.P.No.27955 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

Crl.O.P.No.27955 of 2023

1.M.Sivaranjini
2.C.Senthil
3.V.Kumar

...Petitioners/Accused 1-3

Vs.

State by
The Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.

(Crime No.245 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.245 of 2023 on the file of respondent police on such terms and conditions.

For Petitioners : Mr.T.Balachandran

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



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ORDER

The petitioners/A1 to A3 seek bail in Crime No.245 of 2023, registered by the respondent police for the offences punishable under Section 174(i) Cr.P.C., and subsequently altered to Section 306 of IPC. The petitioner had been taken into custody on 25.11.2023.

2.The deceased had illicit intimacy with the 1st accused/1st petitioner. A child was also born. She wanted maintenance amount to be paid to the child. She went over to the deceased and questioned him about that. At that time, the petitioners 2 and 3 were also there. They were drinking along with the deceased. After she went back, they also started up the same issue again with the deceased. The deceased then went and committed suicide.

3.Taking all the factors into consideration particularly the fact that the 1st accused was only asking maintenance paid to the child who was born through the deceased, I am inclined to grant bail to the petitioners subject to the following conditions:



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4. Accordingly, the petitioners are ordered to be released on bail on his executing separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate – 1, Ulundurpet, Kallakurichi District, 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 1st petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation and the 2nd and 3rd petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed



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and the petitioners 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-1, Ulundurpet, Kallakurichi District.
2. The Female Central Prison, Cuddalore, Cuddalore District.
3. The Male Central Prison, Cuddalore, Cuddalore District.
3. The Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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