



Crl.O.P.no.29062 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.12.2023

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.29062 of 2023

1. Senthil
Son of Annamalai

2. Subramani
Son of Gopal

3. S.Anitha
Wife of Subramani

... Petitioners

Vs

State Rep. By
The Inspector of Police
Kaveripattinam Police Station
Krishnagiri District

... Respondent

Petition filed under Sec.439 of Cr.P.C to enlarge the petitioners on



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bail in Crime No.582 of 2023 pending investigation on the file of the respondent police.

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For Petitioners : Mr.E.Kannadasan

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 25.11.2023 for an offence under sections 306 IPC in Crime No. 582 of 2023 on the file of Kaveripattinam Police Station, Krishnagiri District, seek bail.

2.The learned counsel appearing for the petitioners would contend that the petitioners and the deceased are relatives and the petitioners have not committed any offence as alleged in the FIR and hence, he prayed for grant of bail.

3.The learned Additional Public Prosecutor appearing for the respondent police would contend that there was a dispute regarding chit amount and when the *defacto* complainant asked for the chit amount, the



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petitioners refused to give the chit amount and also scolded the *defacto* complainant due to which *defacto* complainant committed suicide and thereby, she strongly opposed to grant bail to the petitioners.

4.Heard both sides and perused the materials available on record including the First Information Report.

5.Considering the submissions made on either side, considering the period of incarceration and also considering the fact that major part of the investigation is already over, this court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are 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 learned Judicial Magistrate I, Krishnagiri and on further conditions that:

[b] the petitioners shall report before respondent police daily at 10.00 A.M., until further orders.



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[c] the petitioners shall not commit any offences of similar nature.

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed 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].

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

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index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
gpa/dpa

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1. Judicial Magistrate I, Krishnagiri

2. Sub Jail, Krishnagiri

3. The Inspector of Police
Kaveripattinam Police Station
Krishnagiri District

4. The Public Prosecutor,
Madras High Court,
Chennai.



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