



Crl.O.P.No.4342 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

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

Crl.O.P.No.4342 of 2024

Murugan

...Petitioner

Vs.

State represented by
The Sub Inspector of Police,
Rishivandiyam Police Station,
Kallakurichi.
Crime No.214 of 2021

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.214 of 2021 pending on the file of the respondent Police.

For Petitioner : Mr.V.Navaneetha Krishnan
For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 01.01.2024 for the offences originally registered by the respondent



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Police under Section 174(3) Cr.P.C and subsequently, altered to Sections 498(a) and 306 IPC, in Crime No.214 of 2021 seeks bail.

2.The First Information Report had been registered in the year 2021. The petitioner was absconding for nearly about 2 ½ years and thereafter, secured.

3.It is the case of the prosecution that the defacto complainant committed suicide, owing to demand for dowry.

4.An enquiry conducted by the Revenue Divisional Officer and the report had also been perused by this Court.

5.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, (out of which, one must be a blood surety and the same must be tested by the learned Sessions Judge concerned),each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirukoviloor, and on further conditions that :-

[a] the sureties shall affix their photographs and Left



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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 every Monday, Wednesday and Friday, 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.

11.03.2024

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C.V.KARTHIKEYAN. J.



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To

1. The Judicial Magistrate, Thirukoviloor.
2. The Sub Jail, Thirukoviloor.
3. The Sub Inspector of Police,
Rishivandiyam Police Station,
Kallakurichi.
4. The Public Prosecutor, High Court of Madras.

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