



CrI.O.P.No.1189 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

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

CrI.O.P.No.1189 of 2024

Baranitharan

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Vadalur Police Station,
Cuddalore District.

(Crime No.344 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.344 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Vijayaragavan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The petitioner seeks bail in Crime No.344 of 2023, registered by the respondent originally for the offence under Section 174 of Cr.P.C., and later altered to Sections 454, 354 and 306 of IPC r/w Section 4 of TNPWH Act. The petitioner had been remanded to custody on 17.11.2023.

2.It is the case of the prosecution that this petitioner, who is residing in the same street as the deceased, on 15.11.2023, had trespassed into her house and tried to misbehave with her. On 16,11.2023, unfortunately she committed suicide.

3.It is contended by the learned Government Advocate (Crl. Side) for the respondent that the brother of the deceased had found out the activities of the petitioner. It is stated that there would be every possibility of the accused absconding if the petitioner is released on bail and there is always possibility of any revenge attacks being taken.



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4.A status report had been filed on behalf of the respondent wherein it is stated that the respondent had examined about five witnesses and recorded their statements. It is thus seen that there has been a substantial progress in the investigation.

5.Taking all these factors into consideration, I am inclined to grant bail to the petitioner herein subject to the following conditions:

6.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 District Munif cum Judicial Magistrate Court, Kurinjipadi, 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 stay at Tirunelveli District and report before the Town Police Station, Tirunelveli, everyday at 10.30 a.m., for a period of thirty days and thereafter, report before the respondent police everyday at 10.30 a.m., until further orders.



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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.

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To

1. The District Munsif cum Judicial Magistrate Court,
Kurinjipadi.
2. The Sub-jail Panruti.
3. The Inspector of Police,
Vadalur Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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