



Crl.O.P.No.2003 of 2024

C.V.KARTHIKEYAN,J.

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The petitioner seeks bail in Crime No.304 of 2021 originally registered for the offence under Section 174 Cr.P.C and subsequently, altered to Sections 450, 417, 376(2)(n), 313 and 306 of IPC. The petitioner had been remanded to judicial custody on 11.12.2023.

2.The occurrence happened on 14.05.2021 and the victim died on 15.05.2021 by committing suicide. Subsequently, the postmortem report revealed that the deceased victim was 5 to 6 months pregnant. The DNA test was conducted on the fetus as well as on the petitioner herein. It has revealed that the petitioner is the biological father of the child in the womb of the deceased.

3.The learned counsel for the petitioner stated that the father of the deceased victim had stated that the body should be given to him and it is also stated that in the alteration report filed before the Magistrate concerned, the prosecution has named two other individuals. He further stated that final report has been filed.



4. But however, the DNA test had conclusively proved that the petitioner is the father of the child in the womb of the deceased. She had also suffered 90% burn injuries and therefore, the dying declaration could not be recorded.

5. Earlier application filed by the petitioner in Crl.O.P.No.28961 of 2023 was dismissed by this Court vide order dated 02.01.2024. However, this Court is of the view that after framing of charges the application for bail can be considered.

6. Hence, this Criminal Original Petition stands dismissed.

12.02.2024

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