



Crl.O.P.No.1595 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

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

Crl.O.P.No.1595 of 2024

1.Sathish
2.Yamini

...Petitioners/Accused-1 & 2

Vs.

State represented by
The Inspector of Police,
Arakonam Taluk Police Station,
Ranipet District.

(Crime No.337 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.337 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioners : Mr.S.Sivakumar

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



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ORDER

The petitioners/A1 and A2 in Crime No.337 of 2023, registered by the respondent police for the offences under Sections 364, 120B and 302 of IPC and remanded to custody on 04.09.2023.

2.It is the case of the prosecution that the 2nd petitioner was married to the deceased but she started having illegal relationship with the 1st petitioner/1st accused. It is stated that later both of them conspired to do away with the deceased and the 2nd petitioner had given knife which was used by the 1st petitioner who first abducted the deceased and later murdered him.

3.It is also stated that investigation has been completed and final report had also been filed before the Judicial Magistrate, Arakkonam.

4.Taking all the factors into consideration and the period of incarceration and also examining the overt acts, bail is denied and rejected for A1 but for A2, taking into consideration the fact that she was



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not directly involved in the murder but is said to have handed over knife,
I am inclined to grant bail to her with certain conditions:

5. Accordingly, the petitioner 2nd petitioner alone 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 **Judicial Magistrate, Arakonam**, 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 2nd petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the 2nd petitioner shall not abscond either during investigation or trial.

[d] the 2nd 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



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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.

09.02.2024

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C.V.KARTHIKEYAN. J.

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To
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- 1.The Judicial Magistrate, Arakonam.
- 2.Central Prison, Vellore.
- 3.The Inspector of Police,
Arakonam Taluk Police Station,
Ranipet District
- 4.The Public Prosecutor,
High Court of Madras.

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