



Crl.O.P.No.2623 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

Crl.O.P.No.2623 of 2024

Vallimuthu

...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.

(Crime No.338 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 S.C.No.01 of 2024 on the file of the Session Judge (Fast Track Mahila Court), Nagapattinam, on such terms and conditions.

For Petitioner : Mr.J.Jawahar

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



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ORDER

The petitioner/A2 seeks bail in Crime No.338 of 2023, originally registered by the respondent police under Section 174 of Cr.P.C., and later altered to Sections 120(B), 302, 394 r/w 397 of IPC. The petitioner had been remanded to custody on 16.09.2023.

2.It is stated that the deceased is the own grandmother of A1 and for gain, the petitioner and the other accused had put up pillow on her mouth and the grandmother died.

3.It is stated that investigation has been completed and final report has been filed and after taking cognizance, the same has also been committed to the Court of Sessions Judge (Fast Track Mahila Court), Nagapattinam, as S.C.No.1 of 2024 and the matter is now posted for framing of charges on 21.02.2024. Taking that factor into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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



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of the Sessions Judge, (Fast Track Mahila Court, Nagapattinam, 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 initially appear before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, appear before the concerned Sessions Court on every Court hearing dates.

[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.

08.02.2024

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C.V.KARTHIKEYAN. J.
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To

1. The Sessions Judge (Fast Track Mahila Court), Nagapattinam.
2. The Central Prison, Trichy.
3. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
4. The Public Prosecutor,
High Court of Madras.

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