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Crl.O.P.No.2951 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

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

Crl.O.P.No.2951 of 2024

Deepan

... Petitioner

Vs.

State represented by
Inspector of Police,
Jolarpet Police Station,
Tirupathur District.
Crime No.6 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.6 of 2024 on the file of
the respondent.

For Petitioner : Mr.R.Udaya Kumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 02.01.2024 for the offences originally registered under Sections 417, 312,



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376(2)(n), 306 and 116 of IPC in Crime No.6 of 2024 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner had promised to marry the victim and after she conceived, the petitioner deserted her, due to which, the victim committed suicide.

3.The petition has been adjourned atleast for three occasions. The learned counsel for the petitioner has got specific information that the petitioner now accepts her, without any condition.

4. It is hoped that it is a bonafide statement made before this Court.

5.But at any rate, taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner 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 **learned** Judicial Magistrate No.I, Tirupathur 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.



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[b]the petitioner shall report before the respondent police on everyday 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.

14.03.2024

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To

1.The Judicial Magistrate No.I, Tirupathur.

2. The Inspector of Police,
Jolarpet Police Station,
Tirupathur District.

3.The Central Prison, Vellore.

4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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