



Crl.O.P.No.4012 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

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

Crl.O.P.No.4012 of 2024

Prabhakaran

...Petitioner

Vs.

State represented by
The Inspector of Police,
Vaduvur Police Station,
Tiruvarur Taluk and District.
(Crime No.23 of 2024).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.23 of 2024 on the file of the respondent police..

For Petitioner : Mr.D.Veerasekharan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody



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on 31.01.2024 for the offences originally registered by the respondent Police under Section 174(3) Cr.P.C and later, altered to Sections 306 and 498(A) IPC in Crime No.23 of 2024 on the file of the respondent, seeks bail.

2.The marriage between the petitioner and the deceased took place on 27.01.2022. They have also a 7 months old infant boy. Owing to various reasons, the deceased had committed suicide by hanging.

3.There has been a report forwarded by the Revenue Divisional Officer, enquiring into the probable cause of death whether it was owing to demand of dowry. A report had also been forwarded by the Revenue Divisional Officer dated 13.03.2024.

4.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5.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, Mannargudi 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 report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.23 of 2024 before the Judicial Magistrate No.I, Mannargudi. The learned Magistrate, may transfer the same in any fixed deposit earning interest, in any one of the Nationalized Bank, in the name of the petitioner and also in the name of the infant and retaining the fixed deposit for a minimum period of five years. The interest should accumulate within the deposit itself. It should not be liquidated before the period of five years. On expiry of five years, the financial situation of the petitioner herein may be examined and the deposit may again be renewed and at that time, the Presiding Officer of Judicial Magistrate No.I, Mannargudi, may take a decision whether, towards school education of the minor child who



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will be 5 years old at that time, the interest could be withdrawn in a periodical manner. The fixed deposit may be further renewed for a second time for five years and then paid to the young child in his individual account. The petitioner shall deposit the said amount on or before 05.04.2024.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

15.03.2024

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To

- 1.The Judicial Magistrate No.I, Mannargudi.
2. The District Jail, Nagapattinam.
- 3.The Inspector of Police,
Vaduvur Police Station,
Tiruvarur Taluk and District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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