



Crl.O.P.No.6105 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

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

Crl.O.P.No.6105 of 2024

Manikandan

...Petitioner

Vs.

State represented by
The Inspector of Police,
Kundrathur Police Station, Chennai,
Tambaram District.

(Crime No.698 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.698 of 2023 on the file of respondent police.

For Petitioner : Mr.V.Murugesan

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

ORDER



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The petitioner seeks bail in Crime No.698 of 2023, registered by the respondent police originally for the offences under Section 174(3) of Cr.P.C., and subsequently, altered to Sections 306 & 498(A) of IPC. The petitioner had been taken into custody on 21.12.2023.

2.The marriage between the petitioner and the deceased took place on 01.11.2023. The deceased had committed suicide on 18.12.2023. In so far as respondent is concerned, though a requisition was given to the Revenue Divisional Officer, Kancheepuram on 21.12.2023 to complete the enquiry within three days. Since the deceased committed suicide within 7 years from the date of marriage, a final report by the Revenue Divisional Officer, Kancheepuram has not yet been forwarded.

3.This Court had directed the Revenue Divisional Officer, Kancheepuram to appear before this Court through video conferencing and he appeared. He stated that he would file a report within a short period of time. But, however, it is seen that the petitioner is in incarceration for 88 days and investigation has not been completed.

4.Taking all the factors into consideration, I am inclined to grant



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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 **Judicial Magistrate, Sriperumbudur**, 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., 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.



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[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.

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C.V.KARTHIKEYAN. J.

rjr

To

- 1.The Judicial Magistrate, Sriperumbudur.
- 2.The Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
Kundrathur Police Station, Chennai,
Tambaram District.
- 4.The Public Prosecutor,
High Court of Madras.

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