



Crl.O.P.No.6482 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

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

Crl.O.P.No.6482 of 2024

Karthikeyan

..Petitioner

Vs.

State represented by
The Inspector of Police,
Dharapuram Police Station,
Tirupur District.
(Crime No.105 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.105 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.Kalimuthu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.02.2024 for the offences registered by the respondent Police under



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Sections 419, 420 IPC and 107(1), 108 of Mental Health Care Act in Crime No.105 of 2024 on the file of the respondent, seeks bail.

2.It is stated that an inspection was made to the Rehabilitation Centre called Vetri Life Care Foundation. It was stated that the treatment was given to various persons. It is the case of the prosecution that since the nature of treatment was not proper, there was a death of an individual necessitating registration of the First Information Report under the provisions stated.

3.The learned counsel for the petitioner stated that the petitioner had actually paid out a sum of Rs.4,00,000/- as compensation, but there are no records for the same.

4. At any rate, 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, Dharapuram, Tirupur District**



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 deposit a sum of Rs.1,00,000/- (Rupees one lakh only) to the credit of Crime No.105 of 2024 and on such deposit, the learned Judicial Magistrate, Dharapuram, may hand over the said amount to the dependants/ family members of the deceased. The petitioner shall deposit the said amount within a period of one week, after he released on bail.

[d] The petitioner must also file an affidavit that he will run this rehabilitation centre, only after getting licenses from all authorities. It can be reopened only after the authorities inspect and find that all the requirements are complied with. Only thereafter, the centre can be reopened and the petitioner be permitted to run the same.

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

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



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[g] 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].

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

26.03.2024

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To

- 1.The Judicial Magistrate, Dharapuram, Tirupur District.
2. The Central Jail, Coimbatore.
- 3.The Inspector of Police,
Dharapuram Police Station,
Tirupur District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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