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Crl.O.P.No.7870 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

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

Crl.O.P.No.7870 of 2024

Vediyappan

...Petitioner

Vs.

The State, represented by
The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
Crime No.48 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.48 of 2024 pending on the file of the respondent.

For petitioner : Mr.P.Muthamizhselvakumar
For Respondent : Mr.V.J.Priyadarsana
Government Advocate (crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 05.02.2024 for the offence originally registered under Sections 174(3)



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Cr.P.C and subsequently altered to Section 306 of IPC in Crime No.48 of 2024 on the file of the respondent Police, seeks bail.

2. It is stated that the marriage between the petitioner and the deceased took place on 17.04.2019 and they had a young infant. It is further stated that the deceased died by drowning in a well.

3. The learned Government Advocate (crl.side) stated that further investigation has to be done particularly about the reasons for the suicide, to examine whether there was any demand of dowry. It is also stated that the Revenue Divisional Officer had conducted an enquiry but a report had not yet been received. He also stated that depending the nature of the report, the provisions of law may also be altered.

4. The earlier application seeking bail was dismissed on 01.03.2024 in Crl. O.P. No.5072 of 2024.

5. The significant change in circumstances is that the report of the



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Revenue Divisional Officer dated 02.04.2024 in ஸ்ரீ.844/2024/ஈ has been submitted. Taking that fact into consideration, bail is granted to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate, Uthangarai 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.

[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



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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.

04.04.2024

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To

1. The Judicial Magistrate, Uthangarai.
2. The District Prison, Krishnagiri.
3. The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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