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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.11135 of 2024

Arunkumar

... Petitioner

Vs.

State Rep by.
The Station House Officer
Kattumannar Koil Police Station,
Cuddalore District. Crime No. 247 of 2023.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in crime No. 247 of 2023 on the file
of the respondent police.

For Petitioner : Mr.G.Pugazhenth
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 13.03.2024 for the alleged offences punishable under Sections 306 IPC **in crime No. 247 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner and the deceased had love each other and he had sexual relation with her under the pretext to marry her. Thereafter, the deceased got pregnant and the same was aborted by the petitioner by giving medicines. Since, the petitioner attempted to marry the another girl, the deceased got frustrated and consumed poison and died. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he was no way connected with the alleged suicide committed by the deceased. He prays to allow this petition.

4. The learned Government Advocate (Crl Side) submits that the petitioner had relationship with the deceased under the pretext to marry her and thereafter, the petitioner attempted to marry the another girl. Hence, the deceased got frustrated and consumed poison and died. Hence, he prays to dismiss this petition.



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5. Considering the period of incarceration undergone by the petitioner and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner with the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned District Munsif Cum Judicial Magistrate, Kattumannarkoil, Cuddalore 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 daily at 10.30 a.m., for a period of three months.



[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The **District Munsif Cum Judicial Magistrate, Kattumannarkoil, Cuddalore District**

2. The Station House Officer
Kattumannar Koil Police Station,
Cuddalore District.

3. The Central Prison, Cuddalore.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.11135 of 2024

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