



Crl.O.P.No.28621 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

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

Crl.O.P.No.28621 of 2023

Udhyan S/o. Manogaran

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Rathinagiri Police Station,
Ranipet District.

(Crime No.218 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in 218 of 2023 on the file of the respondent on such terms and conditions.

For Petitioner : Mr.S.Ramanathan

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

ORDER

The petitioner seeks bail in Crime No.218 of 2023, registered by the respondent for the offences under Section 306 of IPC. The petitioner had been remanded to custody on 01.12.2023.



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2.It is stated that the petitioner is working as Grade-I officer in Indian Army. It is stated that there was a suicide note left behind by the deceased wherein she had alleged that the petitioner had illicit intimacy with another lady. The petitioner and the deceased had married about 12 years before and they had two children aged 10 and 7 years.

3.The learned Government Advocate (Crl. Side) for the respondent pointed out that the deceased had also written a suicide note wherein she had stated about the petitioner had also in a relationship with another lady.

4.Taking into consideration all these factors and the period of incarceration, I am 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 District Munsif cum Judicial Magistrate, Arcot, and on further conditions that: -



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[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 appear before 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 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.

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To

1. The District Munsif cum Judicial Magistrate, Arcot.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Rathinagiri Police Station,
Ranipet District.
4. The Public Prosecutor,
High Court of Madras.

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