



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8110 of 2020

KARUVELAM

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI
(IN CRIME NO. 466 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.R.Rajaselvan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

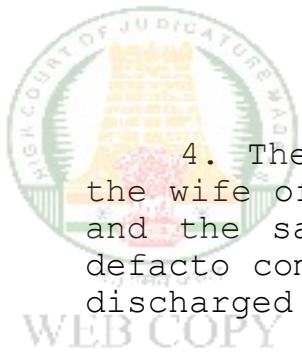
For Bail in Crime No. 466 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner herein was arrested and remanded to judicial custody on 15.07.2020 for the alleged offences under Sections 294 (b), 307, 506(ii) of IPC r/w. Section 4 of TNPHW Act.

2. The injured in this case is the wife of the petitioner. The case of the prosecution is that the injured/wife in this case is said to have illicit intimacy with some body else and when the same was questioned and the petitioner is said to attacked the defacto complainant and caused injuries

3. The learned counsel for the petitioner would submit that the petitioner is innocent and it is a family dispute between the husband and wife and the injured was also discharged from the



4. The learned Government Advocate(Crl.Side) would submit that the wife of the petitioner is said to have eloped with somebody else and the same was questioned the petitioner and he attacked the defacto complainant and caused injuries and now the injured was also discharged from the hospital.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that it is family dispute between the husband and wife and also the fact that the injured was also discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No. V, Tirunelveli

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

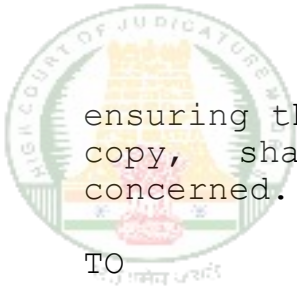
vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/08/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic,
<https://hcservices.courtsofmadras.gov.in/hcservices.html> the order may be utilized for official purposes, but,



ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8110 of 2020
Date :04/08/2020

AAV
JM/JC/SAR 3/04.08.2020/3P/6C