



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20719 of 2021

Murugan

... Petitioner

Vs.

State rep by:
The Inspector of Police,
H-5, New Washermenpet Police Station,
Tondiarpet,
Chennai - 600 081.
(Crime No.2179 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlargement of the petitioner on bail in Crime 2179 of 2021 on the file of the H-5, New Washermenpet Police Station, Chennai - 600 081, the respondent herein in the above case.

For Petitioner : M/S.B.Elakkiya

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner who was arrested on 08.10.2021 and remanded to judicial custody for the offences under Sections 294(b), 326A, 506 (2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.2179 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a quarrel arose between the petitioner and his wife over suspecting her fidelity and the petitioner invited her to share his bed. On her refusal, he thrown acid on her face and caused injuries to her. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he is no way connected with the alleged offences and he has been falsely implicated in this case. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the defacto complainant/victim has been discharged from the hospital.



5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and also the fact that the defacto complainant/victim has been discharged from the hospital and further considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain 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, each for a like sum to the satisfaction of the learned XV Metropolitan Magistrate at George Town, and on further condition 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. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
02/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE XV METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI-1.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
H-5, NEW WASHERMENPET POLICE STATION,
TONDIARPET, CHENNAI-600 081.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON-II,
PUZHAL, CHENNAI-600 066.

+1 CC to M/S.K.SUBBURAJ Advocate on payment of necessary charges
SR.NO.12446

CRL OP.20719/2021

Date :02/11/2021

INBA-02/11/2021