



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11436 of 2022

VANARAJA

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
OMERABAD POLICE STATION,
THIRUPPATHUR DISTRICT.
(CR.NO.128 OF 2022)

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

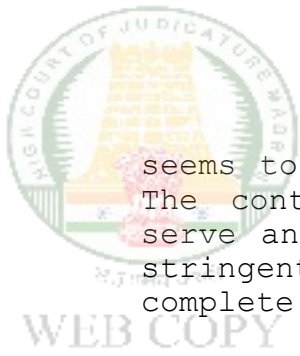
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 06.04.2022 for the alleged offences under Section 302 of IPC in Crime No.128 of 2022 on the file of respondent police, seeks bail.

2. The case of the prosecution is that the there was a wordy quarrel between the petitioner and the de facto complainant due to some family disputes. The deceased, who is the mother of the petitioner, seems to have intervened during the wordy quarrel and the petitioner seems to have slapped the deceased in her chin. The deceased fainted and she was rushed to the hospital. The next day, she died in the hospital.

3. Heard Mr.E.Kannadasan, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent.

4. This is a case where the entire incident have taken place in the spur of the moment. It is quite unfortunate that the mother got killed in the hands of her own son. However, the slap on the chin normally does not result in death. In the present case, the mother



seems to have been suffering with some health ailments and she died. The continuation of the incarceration of the petitioner will not serve any purpose and rather he can be enlarged on bail by imposing stringent conditions, which will at least enable the prosecution to complete the investigation at the earliest.

5. 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 Additional District Magistrate cum Judicial Magistrate, Ambur, subject to the following conditions:

[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. and 05.30 p.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 petitioners 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.

-sd/-

19/05/2022

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 ADDITIONAL DISTRICT MAGISTRATE
CUM JUDICIAL MAGISTRATE, AMBUR.



2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
OMERABAD POLICE STATION,
THIRUPPATHUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO.7542

CRL OP.11436/2022

Date :19/05/2022

CSK 19/05/2022