



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11626 of 2022

MADHAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
K-2 AYANAVARAM POLICE STATION,
CHENNAI
CRIME NO.131 OF 2022.

[RESPONDENT]

For Petitioner : M/S S.ARIVAZHAGAN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

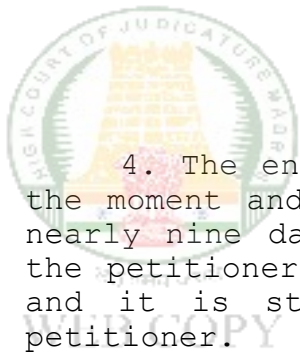
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody on 20.03.2022, for alleged offences under Sections 294(b), 324, 307 and 506(ii) of IPC, in Crime No.131 of 2022 seeks bail.

2.The case of the prosecution is that the petitioner and the injured were married in the year 1995. Due to some differences, they were living apart for nearly five years. The wife of the petitioner was not willing to go along with her husband and on the date of incident, the petitioner is said to have come to the house of the defacto complainant and there was a wordy quarrel which resulted in the petitioner attacking the injured with a knife in the neck.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.



4. The entire incident in this case had happened in the spur of the moment and it is stated that the injured who took treatment for nearly nine days has been discharged from the hospital. That apart, the petitioner has already suffered incarceration for nearly 65 days and it is stated that there was one previous case against the petitioner.

5. Taking into consideration the facts and circumstances of the case, 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 V-Metropolitan Magistrate, Egmore, Chennai - 08 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, 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/-
23/05/2022

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI-08

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K-2 AYANAVARAM POLICE STATION,
CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.ARIVAZHAGAN Advocate on payment of necessary
charges SR.NO.7779

CRL OP.11626/2022

Date :23/05/2022

JPA 24/05/2022