



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.12146 of 2022

S.SATHISH

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KARIPATTY POLICE STATION,
SALEM DISTRICT
CRIME NO.96 OF 2022

[RESPONDENT]

For Petitioner : M/S. T.PERINBANATHAN 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, who was arrested and remanded to judicial custody on 28.03.2022 or the alleged offence under Sections 294(b) and 307 of I.P.C in Crime No.96 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a family dispute between the defacto-complainant and her husband. The petitioner is the cousin of the defacto-complainant's husband and he was attempting to pacify and resolve the issue between the parties. The defacto-complainant's husband is said to have attacked the petitioner and hence, there was a dispute between them. On 27.03.2022, there was a wordy quarrel between the petitioner and the husband of the defacto-complainant and the petitioner is said to have abused with filthy language and attacked the injured with knife.

3. Heard Mr.T.Perinbanathan, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor (Crl.Side) for the respondent Police.



4. Taking into consideration, the facts and circumstances of the case and also of the fact that the injured has already been discharged from the hospital on 14.04.2022 and the entire incident had happened in the spur of the moment and the petitioner had already suffered incarceration for nearly 57 days and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Valappady 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 as and when required.

[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].

[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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VALAPPADY

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KARIPATTY POLICE STATION,
SALEM DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S. T.PERINBANATHAN Advocate on payment of necessary
charges SR.NO.7745

CRL OP.12146/2022

Date :23/05/2022

JPA 24/05/2022