



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.12152 of 2022

R. KATHIRVEL

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KALAVAI POLICE STATION,
RANIPET DISTRICT
CRIME NO.61 OF 2022

[RESPONDENT]

For Petitioner : M/S. K.RAJAN Advocate

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

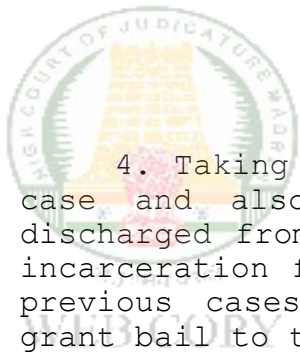
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.03.2022 for the alleged offence under Sections 294(b), 324, 506(ii) and 307 of I.P.C in Crime No.61 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the de-facto complainant had a relationship for a long time. Subsequently, the petitioner is said to have married another woman. The de-facto complainant had given some money to the petitioner and when she demanded back the amount, the petitioner is said to have abused the de-facto complainant and attacked her with a plastic pipe all over the body.

3. Heard Mr.K.Rajan, 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 and the petitioner has already suffered incarceration for nearly 60 days and also the fact that 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, Arcot 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 every Friday at 6.30.pm for a period of 8 weeks and thereafter, 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, ARCOT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KALAVAI POLICE STATION,
RANIPET DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. K.RAJAN Advocate on payment of necessary charges
SR.NO.7759

CRL OP.12152/2022

Date :23/05/2022

JPA 23/05/2022