



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12350 of 2022

KABIL SINGH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
AVADI POLICE STATION,
THIRUVALLUR DISTRICT.
CR.NO.400 OF 2022.

[RESPONDENT]

For Petitioner : M/S.S.MARSHALL Advocate

For Respondent : MR.A.DAMODARAN, 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 05.05.2022 for the alleged offences under Sections 294(b), 307 of IPC in Crime No.400 of 2022 on the file of the respondent police, seeks bail.

2. The contention of the petitioner is that the petitioner is running a Parato shop under the name and style of "Thoothukudi Hotel". The defacto complainant came to the hotel and had food. Thereafter, he refused to pay the bill amount, due to which there was a wordy quarrel between them and at that time, the petitioner had spilled up hot oil on the defacto complainant's chest and the defacto complainant sustained injuries for which, he had lodged a complaint against the petitioner before the respondent police.

3. The learned Additional Public Prosecutor appearing for the respondent submitted that the defacto complainant had gone to the Hotel of the petitioner to have food. Since the defacto complainant refused to pay the bill amount, the petitioner had poured the hot oil on the chest and stomach of the defacto complainant, who was admitted



and treated in a private hospital and thereafter, he got discharged on 23.05.2022.

4. Considering the above submission and the facts of the case, this Court is inclined to enlarge the petitioner on bail subject to imposing 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 Judicial Magistrate II, Poonamallee 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, for a period of two weeks.

[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 petitioners 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/-

25/05/2022

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 JUDICIAL MAGISTRATE,
NO.II, POONAMALLEE.



2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
AVADI POLICE STATION,
THIRUVALLUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.S.MARSHALL Advocate on payment of necessary
charges SR.NO.7830

CRL OP.12350/2022

Date :25/05/2022

TA-25/05/2022