



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.12836 of 2022

ELAVARASAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VALAPPADY POLICE STATION,
SALEM DISTRICT.
(CRIME NO.245/2022)

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.N.UMAPATHI Advocate

For Respondent : MR.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 19.04.2022 for the alleged offence under Sections 436, 506(i) of IPC in Crime No.245 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner appears to have marital dispute with his wife and had threatened to set fire on her. However, he had set fire only in the articles in the house. The defacto complainant is his own father-in-law. Pursuant to the complaint, a case has been registered in Crime No. 245 of 2022 under section 436, 506(i) of IPC.

3. Taking into consideration that the fact that he had been under custody for a considerable period of time and that it would only being in the interest of the defacto complainant that the marital disputes are settled, this Court is inclined to grant bail to the petitioner.



4. 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 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 everyday at 10.30 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 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/-

01/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

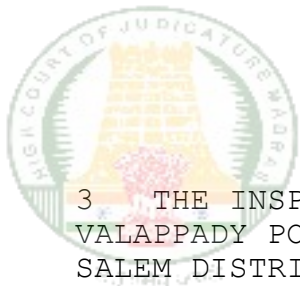
TRUE COPY

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 DISTRICT [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
VALAPPADY POLICE STATION,
SALEM DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, ATTUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.N.UMAPATHI Advocate on payment of necessary charges
SR.No.8251

CRL OP.12836/2022

Date :01/06/2022

CSK 01/06/2022