



CrI.OP.No.18141 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.18141 of 2022

Thiyagarajan @ Thiyagu

...Petitioner

Vs.

State of Tamil Nadu
The Inspector of Police,
J-11, Kannagi Nagar Police Station,
Kannagi Nagar, Chengalpet District.
Crime No:198 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner/Accused on Bail in Crime No:198 of
2022 pending on the file of the Inspector of Police, J-11, Kannagi Nagar
Police Station, Kannagi Nagar Chengalpet District.

For Petitioner : Mr.M.Vimal Bobby Crimson
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 01.05.2022 for the offences punishable under Section 302 of
IPC in crime No.198 of 2022 on the file of the respondent police, seeks
bail.



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2. The case of the prosecution is that on the date of occurrence, the petitioner had a wordy quarrel with his wife and at that time, he attacked her with knife below the chest and damaged the lungs, thereby she died. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that on the occurrence day, the petitioner attacked the deceased with knife below the chest and damaged the lungs. Thereafter, she was taken to hospital, however she died. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e.01.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his



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executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood related sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate Court at Alandur** 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 committal Court twice daily at 10.30 a.m and 5.30 p.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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.

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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate Court at Alandur.
- 2.The Inspector of Police,
J-11, Kannagi Nagar Police Station,
Kannagi Nagar, Chengalpet District.
- 3.Central Prison Puzhal Chennai - 66.
- 4.The Public Prosecutor,
High Court of Madras

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