



WEB COPY



CrI.OP.No.17976 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2022

CORAM

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

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1.Dhanasekar
2.Perumal

...Petitioners

Vs.

State, represented by
The Inspector of Police,
Kattur Police Station,
Thiruvallur District.
(Crime No. 160 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.160 of 2022, on the
file of the Inspector of Police, Kattur Police Station, Thiruvallur District.

For Petitioners : Mr.P.Chandrasekar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 14.06.2022 for the offences punishable under Sections
294(b), 323, 506(ii), 302 of IPC R/w Section 4 of Tamil Nadu



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Prohibition of Harassment of Woman Act 1998 in crime No.160 of 2022
on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to wordy quarrel, these petitioners along with other accused persons attacked the *de-facto* complainant's husband with iron rod causing grievous injuries. The victim later died in the hospital. Hence, the complaint.

3. There are totally four accused person. All the accused persons belong to the same family. Due to previous enmity, they went to the house of the deceased and attacked him with iron rod. As far as the petitioners are concerned, they are arrayed as A3 & A4. They attacked the deceased with hands.

4. Considering the nature of the allegation and also the period of incarceration by the petitioners from the date of their arrest i.e., 14.06.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.10,000/- (Rupees ten**



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thousand only) with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate II, Ponneri**, 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 petitioners shall stay at Ulundurpettai and report before the Inspector of Police, Ulundurpettai Police Station twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

03.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate II,
Ponneri.
- 2.The Inspector of Police,
Kattur Police Station,
Thiruvallur District.
- 3.Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

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