



CrI.O.P.No.20628 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

CrI.OP.No.20628 of 2022

V.Velmurugan

...Petitioner

Vs.

State represented by
Sub Inspector of Police,
Kadbadi Police Station,
Vellore District,
Tamil Nadu 632 007.
(Crime No.254 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in respect of Crime No.254 of 2022
on the file of the Inspector of Police, PS KATPADI.

For Petitioner :Mr.S.Kathiravan

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



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 15.07.2022 for the offences punishable under Sections **341, 294(b), 506(ii) of IPC red with Section 4 of TNWH Act, 2002** in crime No.254 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, due to matrimonial dispute, the petitioner attempted to dash the car against the defacto complainant and also threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and due to matrimonial dispute, false case has been lodged by the defacto complainant. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that, apart from this case, there is one previous case pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.



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5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of their arrest i.e., 15.07.2022, this Court is inclined to grant bail to the petitioner.

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, Katpadi** 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 twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks and thereafter as and when required for interrogation.

[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.



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

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To

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1. Judicial Magistrate,
Katpadi.
2. Sub Inspector of Police,
Kadbadi Police Station,
Vellore District,
Tamil Nadu 632 007.
3. Vellore Prison.
4. The Public Prosecutor,
High Court of Madras



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This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner would submit that this Court, by an order dated 30.08.2022, has granted bail to the petitioner in Crl.O.P.No.20628 of 2022. However in the order copy, the offences has been wrongly mentioned as **341, 294(b), 506(ii) of IPC read with Section 4 of TNWH Act, 2002** instead of **341, 294(b), 506(ii) & 307 of IPC read with Section 4 of TNWH Act, 2002**. Hence, he prayed for suitable directions.

3. Considering the submission made by the learned counsel appearing for the petitioner, Registry is directed to carry out the necessary correction and issue order copy afresh.

08.09.2022

mpl



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mpl

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