



Crl.O.P.No.21590 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2022

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THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.21590 of 2022

Jayavel

... Petitioner

Vs.

The State represented by ,
The Inspector of Police,
B-2, Olakkur Police Station,
Villupuram.
(Crime No.127/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.127 of 2022 pending
investigation on the file of the respondent Police.

For Petitioner : Mr.N.Sigamani

For Respondent : Mr.C.E.Pratap

Government Advocate (Crl.side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.08.2022 for the offences punishable under Sections 294(b), 323, 324, 307 & 506 (2) of IPC, in Crime No.127 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner is the father-in-law of the de-facto complainant's son and due to the family dispute, the petitioner and his son have abused the de-facto complainant's son in filthy language and assaulted him with wooden log and knife, in which he sustained injuries. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is the father-in-law of the de-facto complainant's son and there exist a family dispute between them, due to which, the de-facto complainant had lodged a false complaint against the petitioner. He would also submit that the compromise talks are going



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between the family members. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to the family dispute, the petitioner and his son had assaulted the de-facto complainant's son with wooden log and knife and caused injuries. He would further submit that the injured was treated as out-patient and has been discharged from the hospital. He would also submit that there is no previous case against the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered



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to be released on bail on his executing a bond for a sum of **Rs.25,000/-**
(Rupees Twenty Five thousand only) with **two sureties**, for a like sum to
the satisfaction of the **learned Judicial Magistrate No.I, Tindivanam**, 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 every day morning at 10.30 a.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]**;



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

08.09.2022

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To

1. The Judicial Magistrate No.I,
Tindivanam.
2. The Inspector of Police,
B-2, Olakkur Police Station,
Villupuram.
3. The Sub Jail,
Tindivanam.
4. The Public Prosecutor,
High Court of Madras.



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