



Crl.O.P.No.22736 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2022

CORAM

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

**Crl.O.P.No.22736 of 2022**

Sudhakar

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
T-13, Kunrathur Police Station,  
Kunrathur, Chennai – 600 069.  
Crime No.602 of 2022

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner/accused on bail in pending Crime No.602 of  
2022 on the file of the Inspector of Police, T-13, Kunrathur Police Station,  
Kunrathur, Chennai – 600 069.

For Petitioner : Mr.D.Vijayan

For Respondent : Mr.C.E.Pratap  
Government Advocate (Crl. Side)



Crl.O.P.No.22736 of 2022

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## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 06.09.2022 for the offences punishable under Sections 294(b), 351, 436, 427, 506(ii) and 34 of IPC, in Crime No.602 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on account of the defacto complainant's son marrying the niece of the petitioner, the petitioner along with two other accused had trespassed into the house of the defacto complainant and abused the defacto complainant and his family members in filthy language and also assaulted the defacto complainant and caused damage to the household articles. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and due a family dispute on account of a love marriage, a false complaint has been given as against the petitioner. He would also submit that the petitioner is in custody from 06.09.2022. He would further



Crl.O.P.No.22736 of 2022

submit that there are no previous cases as against the petitioner. Therefore, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent would submit that on account of the defacto complainant's son marrying the niece of the petitioner, the petitioner along with two other accused had trespassed into the house of the defacto complainant and abused the defacto complainant and his family members in filthy language and also assaulted the defacto complainant and caused damage to the household articles. He would also submit that there are no previous cases as against the petitioner. However, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel 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, this Court is inclined to



Crl.O.P.No.22736 of 2022

grant bail to the petitioner.

7. Accordingly, the petitioner is ordered 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sriperumbudur**, 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 daily 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



Crl.O.P.No.22736 of 2022

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.

**20.09.2022**

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To

1. The Judicial Magistrate, Sriperumbudur.
2. The Inspector of Police,  
T-13, Kunrathur Police Station,  
Kunrathur, Chennai – 600 069.
3. The Superintendent,  
Central Prison,  
Puzhal.
4. The Public Prosecutor,  
High Court of Madras.



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Crl.O.P.No.22736 of 2022

**A.D.JAGADISH CHANDIRA., J.**

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**Crl.O.P.No.22736 of 2022**

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