



Crl.O.P.No.24029 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2022

CORAM

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

Crl.O.P.No.24029 of 2022

Sulaiman

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Ranipet Police Station,
Ranipet District.
(Crime No.237 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in P.R.C.No.2 of 2022 (District
Munsif cum Judicial Magistrate Court, Ranipet) in Crime No.237 of 2022
pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.S.Saravanan

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 19.07.2022, for the offences punishable under Section 302 of IPC in Crime No.237 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to domestic quarrel, the petitioner had committed the murder of his wife by strangulating her with shoe lace. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and based on a false complaint, the petitioner has been implicated in this case. He would also submit that the investigation has been completed and the final report has been filed and the case is now taken up on file in P.R.C.No.2 of 2022 on the file of the committal Court. He would further state that the petitioner is in custody from 19.07.2022 and there is no previous case as against the petitioner. Therefore, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (CrI.Side) appearing for the respondent police would submit that the petitioner had committed the murder of his wife by strangulating her with shoe lace in domestic quarrel. He would further submit that the investigation has been completed and the matter is pending committal in P.R.C.No.2 of 2022 on the file of the District Munsif cum Judicial Magistrate Court, Ranipet. Therefore, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also taking note of the fact that the investigation has been completed and the case is pending committal on the file of the committal Court and that the petitioner has no previous case as against him, this Court is inclined to grant bail to the petitioner with certain conditions.



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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)** each with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Ranipet**, 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 District Munsif cum Judicial Magistrate Court, Ranipet, 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



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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.

10.10.2022

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To

- 1.The District Munsif cum Judicial Magistrate,
Ranipet.
- 2.The Inspector of Police,
Ranipet Police Station,
Ranipet District.
- 3.The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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