



Crl.O.P.No.25842 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM

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

Crl.O.P.No.25842 of 2022

Ramesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kundrathur Police Station,
Chennai.

(Crime No.557/2022).

... Respondent

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.557
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Muthamizhselvakumar

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



Crl.O.P.No.25842 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.08.2022, for the offences punishable under Section 302 IPC, in Crime No.557 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner on suspecting the fidelity of his wife, had assaulted her indiscriminately with crowbar and caused instantaneous death of her. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the husband of the deceased and there was a matrimonial dispute between them and during the wordy quarrel, at high heat of passion, the petitioner had assaulted the petitioner and committed murder and there is no intention or motive on the part of the petitioner to commit murder of his wife. He would also submit that the petitioner is in custody from 11.08.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.



Crl.O.P.No.25842 of 2022

WEB COPY

4. The Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner, who is the husband of the deceased, on suspecting that his wife was having illicit intimacy with his brother, had committed murder on her by assaulting her with crowbar. He would also submit that the investigation is pending and therefore, he vehemently oppose to grant bail to the petitioner.

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

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

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



Crl.O.P.No.25842 of 2022

the learned Judicial Magistrate, Sriperumputhur, 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 stay at Sirkali and report before the Inspector of Police, Sirkali Police Station, everyday at 10.30 a.m. and 5.30 p.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]*;



WEB COPY



CrI.O.P.No.25842 of 2022

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

20.10.2022

ham

To

1. The Judicial Magistrate,
Sriperumputhur.
2. The Inspector of Police,
Kundrathur Police Station,
Chennai.
3. The Central Prison,
Puzhal.
4. The Inspector of Police,
Sirkali Police Station,
Sirkali.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.25842 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.25842 of 2022

20.10.2022