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Crl.O.P.No.26168 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

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

Crl.O.P.No.26168 of 2022

R.Sudhakar

... Petitioner

Vs.

The State represented by,  
Inspector of Police,  
Marakkanam Police Station,  
Tindivanam,  
Villupuram District.  
Crime No.378 of 2022

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner on bail in respect of Crime No. 378 of 2022  
on the file of the respondent police.

For Petitioner : Mr.G.Tamilselvan

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 07.10.2022, for the offences punishable under Sections 294(b), 324, 307 of IPC, in Crime No.378 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that on 06.07.2022 at about 01.00 p.m., the petitioner, who is his son-in-law, had stabbed his daughter using pen knife. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the victim is the wife of the petitioner and that the incident had happened out of a wordy quarrel and the petitioner did not have any intention to cause such injuries on his wife. He would further submit that the petitioner has been suffering incarceration from 07.10.2022. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that, the petitioner had stabbed his own wife with a knife. He would further submit that the injured victim has been discharged from the hospital. However, he vehemently opposed 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 and circumstances of the case, the submission made by the learned counsel, the period of incarceration suffered by the petitioner, this Court is inclined to 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-2 at Tindivanam** and on further conditions that:



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[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 05.30.p.m., for a period of two weeks and thereafter report before the respondent police on every Saturday at 10.30.a.m., until further orders;**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 absconds, a fresh  
FIR can be registered under Section 229A IPC;

**28.10.2022**

*Sma*

To

1. The Judicial Magistrate-2,  
Tindivanam.
2. The Inspector of Police,  
Marakkanam Police Station,  
Tindivanam,  
Villupuram District.
3. Sub Jail,  
Tindivanam.
4. The Public Prosecutor,  
High Court of Madras.



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

*Sma*

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