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CrI.OP.No.14577 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.14577 of 2023

I.Sakthivel

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Manalurpet Police Station,
Kallakurichi District.
Crime No.242 of 2023

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.242 of 2023 on the
file of the respondent police.

For Petitioner : M/s. T.Balachandran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2023 for the offences punishable under Sections 294(b), 323, 324, 307 and 506(2) of IPC in Crime No.242 of 2023, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case registered for the offence under Sections 294(b), 323, 324, 307 and 506(2) of IPC in Crime No.242 of 2023. Petitioner is in Judicial Custody from 05.06.2023. Thus, he seeks bail to the petitioner.

3. In reply, the learned Government Advocate (Crl. Side) submitted that, A1 is the sister-in-law of the defacto complainant. A2 is the brother of the defacto complainant. Defacto complainant's daughter, who is the wife of the 1st accused had died leaving behind a girl baby. 1st accused is trying to sell the property with the assistance of the 2nd accused, without providing anything to the girl child. When defacto complainant challenged and wanted that the girl child may be provided



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with the share. As a result, A1 & A2 attacked the defacto complainant.

Defacto complainant sustained injuries. She was treated in the hospital and discharged.

4.. Considering the nature, facts and circumstances of the case and injured victim has been discharged from the hospital and the petitioner is in Judicial Custody from 05.06.2023 and that the material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. 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, Thirukoilur, Kallakurihi District** 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.



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[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]

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

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To

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1. Judicial Magistrate, Thirukoilur,
Kallakurichi District.

2. The Inspector of Police,
Manalurpet Police Station,
Kallakurichi District.

3. Central Prison,
Cuddalore.

4. The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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