



Crl.OP.No.23087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.23087 of 2023

Ramji,
S/o.Sekar

...Petitioner/Sole Accused

Vs.

State represented by its
The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai.

(Crime No.407 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.407 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.N.K.Raghunathan

For Respondent : Mr.R. Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.07.2023 for the offences punishable under Sections 294(b), 324, 307, 302 and 506(ii) of IPC in Crime No.407 of 2023 on the file of the respondent police, seeks bail.



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2.The learned counsel for the petitioner submitted that it is a family dispute, in which, the petitioner has been falsely implicated in this case. Thus, he prays for grant of bail to the petitioner.

3.It is stated by the learned Government Advocate (Crl.Side) that the defacto complainant, who is the father of the deceased has one son and two daughters. The petitioner is the husband of the elder daughter. She had left her matrimonial home and was residing with her sister. The accused had gone over to their house and in a fit of rage, he had attacked his wife's sister, mother and her brother. Her brother died and there were serious injuries caused to her sister and mother. But however, they had been discharged from the hospital.

4.Taking into consideration that it is a family dispute, this Court is inclined to grant bail to the petitioner subject to the payment of **Rs.30,000/-(Rupees Thirty Thousand only)** by the petitioner, to the credit of the Crime No.407 of 2023, within a period of two weeks from the date of receipt of a copy of this order as a compensation to the wife of



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the deceased. If such deposit is made, the same may be handed over by the learned Judicial Magistrate to the wife of the deceased.

5. Accordingly, the petitioner is ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the **Learned Judicial Magistrate Court – I, Tiruvannamalai** 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 everyday twice (i.e.,) Morning at 10.30 a.m., and Evening at 05.30 p.m., until further orders and the petitioner is directed to pay a sum of Rs.30,000/- (Rupees thirty thousand only) to the credit of the crime number, which should be paid to the wife of the deceased.



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[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].

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

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To

- 1.The Judicial Magistrate Court – I,
Tiruvannamalai
- 2.The Central Prison,
Vellore.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai.
(Crime No.407 of 2023)



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C.V.KARTHIKEYAN. J.

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