



WEB COPY



CrI.OP.No.23438 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

CrI.OP.No.23438 of 2023

Vijayakumar

...Petitioner

Vs.

State represented by
The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.626 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail, pending investigation of the case in the Crime No.626 of 2023 on the file of the Respondent.

For Petitioner : Mr.M.Vijaya Ragavan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.08.2023 for the offence punishable under Sections 294(b) and 307



CrI.OP.No.23438 of 2023

of IPC, in Crime No.626 of 2023 on the file of the respondent police, seeks bail.

2.The defacto complainant is the wife of the petitioner herein. It is stated that the petitioner had relationship with another lady and when it was questioned by the defacto complainant, the petitioner had attacked her with aruval and caused injuries.

3.It is stated that the defacto complainant was admitted in the hospital on 17.08.2023 and after three days, she was discharged from the hospital.

4.However taking into consideration the entire issue arose due to matrimonial dispute and period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 No.I, Perambalur, and on further conditions that:



CrI.OP.No.23438 of 2023

[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 daily twice at 10.00 a.m and 5.00 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].

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

12.10.2023

vkrr



WEB COPY



CrI.OP.No.23438 of 2023

C.V.KARTHIKEYAN. J.

vkf

To

1.The learned Judicial Magistrate No.I, Perambalur.

2.Sub Jail, Perambalur.

3.The Inspector of Police,
Perambalur Police Station,
Perambalur District.

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.23438 of 2023

12.10.2023