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Crl.O.P.No. 24361 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

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

Crl.O.P.No.24361 of 2023

Suresh @ Sureshkumar

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District.
(Crime No. 141 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner / Accused on bail pending investigation in
Crime No.141 of 2023 on the file of the respondent.

For Petitioner : Mr.M.Chandru

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 26.07.2023 for the offence punishable under Sections 294(b), 323, 324,
506(ii) of IPC and subsequently, altered to Sections 294(b), 307, 323, 324,



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326, 352 & 506(ii) of IPC in Crime No.141 of 2023 on the file of the respondent police, seeks bail.

2.The injured is the brother of the petitioner herein. It is stated that there was a quarrel between the petitioner and his wife and when the defacto complainant's husband had interrupted, the petitioner had assaulted him, his own brother.

3.It is stated by the respondent that both the injured had been discharged from the hospital.

4.Taking into consideration the fact that this is because of quarrel within a family escalating into violence and the period of incarceration, 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 District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore 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



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ensure their identity.

[b] the petitioner shall report before the respondent police on everyday 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 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.

20.10.2023

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To

1. The District Munsif cum Judicial Magistrate,
Kurinjiyadi, Cuddalore District.
2. The Central Prison, Cuddalore.



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3. The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.

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