



Crl.OP.No.24315 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

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

Crl.OP.No.24315 of 2023

Umar Mohammed @ Rajkumar

... Petitioner

Vs.

State by
The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
(Crime No.479 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.479 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.N.Palanivel

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.09.2023 for the offences punishable under Section 294(b), 324, 506(ii) @ 307 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.479 of 2023 on the file of the respondent police, seeks bail.

2. The defacto complainant is the wife of the present petitioner/accused. It is stated that there was quarrel between them, which had escalated into assault by Cycle air hand pump.

3. It is also stated that the injured had been discharged from the hospital.

4. In view of the fact that the injured had been discharged from the hospital, I am inclined to grant bail to the petitioner with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail on



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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 Judicial Magistrate, Tiruthuraipoondi, 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 appear before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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].



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[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, Tiruthuraipoondi.
- 2.Sub-jail, Tiruthuraipoondi.
- 3.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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