



Crl.OP.No.24352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

Crl.OP.No.24352 of 2023

Ramkumar S/o. Chenniyappan

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Samalpati Police Station,
Krishnagiri District.
(Crime No.157 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.157 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.S.Deepika

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 29.08.2023 for the offences punishable under Section 294(b), 324, 506(ii) & 436 of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.157 of 2023 on the file of the respondent police, seeks bail.

2. The petitioner is the 1st accused and as a matter of fact, he is the son-in-law of the defacto complainant. It is stated that the petitioner had frequent quarrel with his wife and this escalated to quarrel with the defacto complainant. It is stated that on the date of incident, the petitioner had committed the offence as stated against the defacto complainant.

3. It is contended by the learned counsel for the petitioner that by moving the present complaint earlier incidents have also been included.



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4. It is stated on behalf of the respondent that the petitioner had threatened the tenant of the defacto complainant and had also burnt the house. The fact of burning the house was only with respect to setting fire on the door of the house.

5. Taking into consideration the entire issue, which is only with respect to quarrel between the petitioner and his wife but, had escalated into violence, I am inclined to grant bail to the petitioner with certain conditions:

6. 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 Judicial Magistrate, Uthangarai, 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., until further



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orders.

[c] the respondent may also validate the amount of loss and seek a direction that the petitioner should pay the damages caused, that is the issue which has to be examined by the Judicial Magistrate concerned.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

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

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To

- 1.Judicial Magistrate, Uthangarai.
- 2.Sub-jail, Krishnagiri.
- 3.The Inspector of Police,
Samalpati Police Station,
Krishnagiri District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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