



CRL OP(MD). No.22308 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 11/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

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Rathinachalam

... Petitioner/ Accused No.1

Vs

The Inspector of Police,  
Chinthamanipatty Police Station,  
Karur District.  
(Crime No.203 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.Mathiyalagan.R,  
Advocate.

For Respondent : Mr.RMS.Sethuraman,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.203 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ A1, who was arrested and remanded to judicial custody on on 30.11.2023 for the alleged offence punishable under Sections 294(b), 341, 342 and 307 of IPC in Crime No.203 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to family dispute between the petitioner and his son-in-law, on 27.11.2023, at about 09.00 p.m, the defacto complainant said to have went to the house of the petitioner and asked him to send his wife and son and the same was refused by him. Further, he assaulted the defacto complainant along with one Jeeva and caused injuries to him. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant and the daughter of the petitioner are the husband and wife. Due to harassment made by the defacto complainant, the petitioner's daughter is living in the house of the petitioner along with her son. On the date of occurrence, the defacto complainant came to his house in a drunken mode and tried to kidnapped the petitioner's grandson. He would further



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submit that since he was in drunken mode, he lost his balance and sustained injuries and the petitioner is in custody from 06.09.2023. Hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that it is family dispute between the father-in-law and the son-in-law and the injured was discharged from the hospital.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances and also taking into consideration the period of incarceration and taking into consideration of the principle stated by the Honourable Supreme Court in Sanjay Chandra and others vs. CBI reported in (2012) 1 SCC 40, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[i] 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 The Judicial Magistrate-I, Kulithalai, Karur District, and on further conditions that:



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(ii) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(iii) the petitioner shall appear before the trial Court on first working day of every month at 10.30 am., until further orders.

(iv) the petitioner shall not tamper with evidence or witness;

(v) the petitioner shall not abscond during trial.

vi) 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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vii) If the accused thereafter absconds, a fresh FIR can be registered under Section

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229A IPC.

sd/-

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Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.I, Kulithalai, Karur District..
2. Do-Through The Chief Judicial Magistrate, Karur District.
3. The Officer in charge, Sub Jail, Kulithalai..
4. The Inspector of Police,  
Chinthamanipatty Police Station, Karur District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.22308 of 2023

Date :11/12/2023

RK (11/12/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
17/07/2023