



Crl.O.P.No.987 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

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

Crl.O.P.No.987 of 2024

Ezhumalai
S/o.Periyasamy

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Banavaram Town Police Station,
Ranipet District.

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.267 of 2023 on the
file of the respondent police.

For Petitioner : Mr.D.K.Nepolean

For Respondent : Mr.L. Baskaran,
Govt. Advocate (Crl. Side)



CrI.O.P.No.987 of 2024

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.12.2023 for the offences punishable under Sections 294(b) and 323 IPC and subsequently altered to Sections 294(b), 323 and 304 IPC in Crime No.267 of 2023, seeks bail.

2.It is stated that the petitioner wanted to marry his son to the daughter of the brother of the defacto complainant, but the brother of the defacto complainant refused to accept the petitioner's proposal. As a result, there was a wordy quarrel between the petitioner and the brother of the defacto complainant, which escalated into violence, leading to lodging of complaint and registration of First Information Report.

3.Taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions.

4.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, Sholingar, and on further conditions that:

[a] the sureties shall affix their photographs and Left



CrI.O.P.No.987 of 2024

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 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.

19.01.2024

smv

To



CrI.O.P.No.987 of 2024

WEB COPY

1. The Judicial Magistrate, Sholingar.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Banavaram Town Police Station,
Ranipet District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

smv



WEB COPY



CrI.O.P.No.987 of 2024

CrI.O.P.No.987 of 2024

19.01.2024