



CRL OP(MD). No.1753 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.1753 of 2024

Thiruppathi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Town East Police Station,
Dindigul District.
Crime No.557 of 2023..

... Respondent/Complainant

For Petitioner : Ms.P.Krishnaveni,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.557 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 25.11.2023 in Crime No.557 of 2023, for the offence punishable under



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Sections 294(b), 324 IPC @ 294(b), 324, 506(2) IPC @ 294(b) and 302 IPC, on the file of the respondent Police, seeks bail.

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2. The case of the prosecution is that on 13.11.2023 at about 03.30 P.M., the petitioner was quarreling with his father and at that time, the husband of the *defacto* complainant had separated them. Due to which, the petitioner went to the *defacto* complainant's house and abused the husband of the *defacto* complainant in filthy language and stabbed him with knife in the stomach and ran away from that place. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody for more than sixty months. He would further submit that due to wordy quarrel arose between the petitioner and the husband of the *defacto* complainant, the petitioner herein attacked her husband and stabbed him with knife.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that there are no previous case pending against the petitioner.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and considering the period of incarceration and also considering the fact that no previous case is



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pending against the petitioner, this Court is inclined to grant bail to the petitioner,
subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 No.I, Dindigul** 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 is directed to appear before the respondent Police daily at 10.30 A.M. until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond 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]*; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
06/02/2024

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06/02/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
DINDIGUL.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.
- 4 THE INSPECTOR OF POLICE
TOWN EAST POLICE STATION,
DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-1470[I] dated 06/02/2024)



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ORDER
IN
CRL OP(MD) No.1753 of 2024
Date :06/02/2024

SS/SAR- /06/02/2024/5P/7C

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