



Crl.O.P.No.16475 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16475 of 2025

Rajavel

... Petitioner

Vs.

State rep. by
The Inspector of Police
Ambur Taluk Police Station
Thirupathur District
Crime No. 111 of 2025

... Respondent

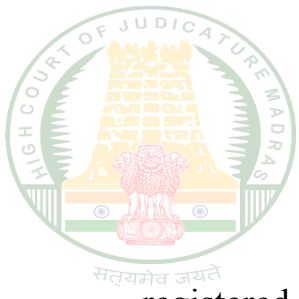
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.111 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Dhasarathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.05.2025, for the offences punishable under Sections 296(b), 118(1) and 109(1) of BNS (294(b), 324 and 307 of IPC), in connection with Crime No.111 of 2025,



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registered on the file of the respondent, seeks bail.

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2. The case of the prosecution is that the de-facto complainant is the wife of the petitioner and that the petitioner oftenly suspected his wife, since she borrowed money from one Moorthy without the knowledge of the petitioner. On the date of occurrence, the petitioner abused the de-facto complainant with filthy language, assaulted on her left hand knee, index finger and right hand wrist and stabbed on her back with knife with an intention to murder her and also criminally intimidated her. Hence the case.

3. It is the contention of the learned counsel for the petitioner that the petitioner and the de-facto complainant are husband and wife; there was some dispute between the petitioner and his wife and in a wordy quarrel, the petitioner assaulted his wife with knife which was available in his house and caused some injuries on her left hand knee, index finger and right hand wrist; thereafter the victim has been admitted in the hospital and based on the complaint lodged by the de-facto complainant, the petitioner has been arrested on 11.05.2025. The learned counsel for the petitioner submitted that the petitioner is suffering incarceration from 11.05.2025 and he is ready to abide by any stringent condition that may be



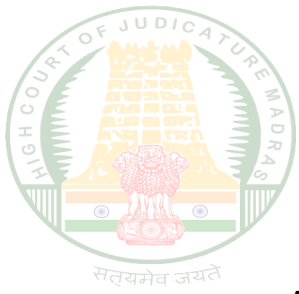
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imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that in this case, the de-facto complainant/victim is the wife of the petitioner and that the petitioner suspecting his wife's contact, in earlier hours when she was sleeping in the house, attacked her with knife on her left hand knee, index finger and right hand wrist. He further submitted that initially, the victim was taking treatment at Ambur and thereafter, she was referred to Vellore Government Hospital for further treatment. Hence, he strongly opposed to grant bail to the petitioner.

5. The learned counsel for the petitioner submitted that the victim has been discharged from the hospital 06.06.2025.

6. The learned Government Advocate (Crl. Side) submitted that the relatives of the petitioner and the de-facto complainant are trying to negotiate the dispute between the husband and wife and the de-facto complainant/victim can come forward to resolve the issue.



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

8. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner and that the injuries sustained by the wife are not vital part and it is a case of matrimonial dispute and now, reconciliation is going on between them, this Court is inclined to grant bail to the petitioner with certain conditions.

9. 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 Additional District Munsif cum Judicial Magistrate, Ambur, Thirupathur District**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note :

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1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Additional District Munsif cum Judicial Magistrate,
Ambur, Thirupathur District.
2. The Inspector of Police
Ambur Taluk Police Station
Thirupathur District
3. The Central Prison, Vellore
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.
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