



Crl.O.P.Nos.28231 & 28235 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.28231 & 28235 of 2024

Settu ... Petitioner in Crl.O.P.No.28231 of 2024

Purushoth Kumar ... Petitioner in Crl.O.P.No.28235 of 2024

Vs.

The State represented by,
The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
(Crime No.525 of 2024).

... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.525 of 2024, pending investigation on the file of the respondent Police.

In both Crl.O.Ps.,

For Petitioners : Mr.S.Sathya

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners/A2 & A1 respectively, who were arrested and remanded to judicial custody on



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23.10.2024, seeking bail in Crime No.525 of 2024 registered for the offence under Sections 296(b), 126(2) & 109 of BNS.

2. The case of the prosecution is that there was a previous enmity between the accused and the de facto complainant's husband regarding the illicit affair of the de facto complainant's husband/victim with the sister of A2, due to which, the accused had abused the victim and attempted to murder him by assaulting him with knife. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that due to previous enmity, a false complaint has been given against the petitioners. He also submitted that the petitioners are in custody from 23.10.2024 and they are ready to abide by any stringent conditions that may be imposed by this Court, hence, he prayed that the petitioners may be enlarged on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, submitted



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that the petitioners herein are arrayed as A2 and A1 respectively and due to previous enmity, the accused had attempted to murder the husband of the de facto complainant. He also submitted that the injured has been discharged from the hospital and there is no previous case against these petitioners.

5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and submissions made by the learned counsel appearing on either side and also considering that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Krishnagiri District**, and on further conditions that:



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[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 stay at Chennai and report before the Inspector of Police, B1 North Beach Police Station, Chennai, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

14.11.2024

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To

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1. The Judicial Magistrate No.I,
Krishnagiri District.
2. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
3. The Superintendent,
Sub Jail,
Krishnagiri.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
B1, North Beach Police Station,
Chennai.



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A.D.JAGADISH CHANDIRA., J.

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