



Crl.O.P.No.28495 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

CORAM

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

Crl.O.P.No.28495 of 2024

A.Sasikumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.548 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.548 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Naveen Kumar Murthy
for Ms.S.Varsha

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.11.2024, seeking bail in Crime No.548 of 2024 registered for the offence under Sections 296(b), 115(2), 118(1), 109, 351(3) of BNS.



Crl.O.P.No.28495 of 2024

WEB COPY

2. The case of the prosecution is that due to family dispute, the accused had abused the de facto complainant in filthy language and assaulted him with stone, due to which, the de facto complainant sustained injury in his left eye. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the victim is none other than the brother of the petitioner and the incident had happened only during the quarrel and there is no intention or motive on the part of the petitioner to injure his own brother. He further submitted that the petitioner, who is in custody from 11.11.2024, is ready to abide by any stringent conditions that may be imposed by this Court, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that the petitioner, who is the brother of the de facto complainant, due to family dispute, attempted to murder the de facto complainant and during such time, the



Crl.O.P.No.28495 of 2024

de facto complainant sustained injury in his left eye. He further submitted that the major part of the investigation is over.

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

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and also considering the fact that the incident was happened only during the family dispute, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond 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.II, Ullundurpet**, 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;



Crl.O.P.No.28495 of 2024

WEB COPY

[b] the petitioner shall stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, everyday at 06.30 p.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 269 B.N.S.

14.11.2024

ham



Crl.O.P.No.28495 of 2024

WEB COPY

To

1. The Judicial Magistrate No.II,
Ullundurpet.
2. The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
3. The Superintendent,
Sub Jail,
Ullundurpet.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Villupuram Town Police Station,
Villupuram.



WEB COPY



Crl.O.P.No.28495 of 2024

A.D.JAGADISH CHANDIRA., J.

ham

Crl.O.P.No.28495 of 2024

14.11.2024