



WEB COPY

Crl.O.P.No.28480 of 20



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.28480 of 2024

1.Thirisangu
2.Selvarasu
3.Sankar
4.Jayaraman
5.Chanthiravel
6.Balachandiran
7.Viji
8.Manikandan
9.Ajith
10.Kalaiyarasan
11.Mathiyazhagan
12.Sundaramoorthi

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Kuvagam Police Station.

(Crime No.125 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail in Crime No.125 of 2024 on the file of the respondent police.

For Petitioner : Mr.V.Rajamohan

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

ORDER



WEB COPY

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 06.11.2024, seeking bail in Crime No.125 of 2024 registered for the offence under Sections 191(2), 191(3), 296(b), 118(1), 125, 351(3) of BNS, 2023, r/w 3 of TNPPDL Act.

2. The case of the prosecution is that due to a quarrel between the defacto complainant and the petitioners/accused in respect of a property dispute, the petitioners assaulted the defacto complainant and damaged his car and also caused damages to the nearby shops to the tune of Rs.20,000/-. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and a false complaint has been given. He further submitted that the petitioners have been in custody from 06.11.2024 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the



respondent police, while opposing for grant of bail to the petitioners, submitted that there are totally 58 accused in this case. He further submitted that due to civil dispute, the petitioners assaulted the defacto complainant and damaged his car and also caused damages to the nearby shops to the tune of Rs.20,000/-.

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

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the fact that there is case and case in counter and the period of incarceration undergone by the petitioners, 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 a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate cum Munsif Court, Sendurai, Ariyalur District**, and on further conditions that:

[a] the sureties shall affix their photographs and
Left Thumb Impression in the surety bond and the



WEB COPY



Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall appear before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond during trial and shall co-operate for speedy disposal of the trial;

[d] the petitioners shall not tamper with evidence or witness during 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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

14.11.2024

ata



To

WEB COPY

1. The Judicial Magistrate cum Munsif Court, Sendurai, Ariyalur District.
2. The Inspector of Police,
Kuvagam Police Station.
3. Central Prison, Thiruchirapalli.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY

Crl.O.P.No.28480 of 20



A.D.JAGADISH CHANDIRA.,J.

ata

Crl.O.P.No.28480 of 2024

14.11.2024