



Crl.O.P.No.31337 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

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

Crl.O.P.No.31337 of 2024

Natesan

... Petitioner

Vs.

The State Represented by,
Station House Officer,
Thirukoilur Police Station,
Kallakurichi District.
(Crime No. 583 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with **Crime No.583 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Magesh Kumar

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

ORDER

Petition seeking bail in respect of **Crime No.583 of 2024** registered for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS, 2023 @ 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) and



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103(1) of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, is on board for consideration.

2. The incarceration of the petitioner being from **03.11.2024** pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He would submit that, as per prosecution, the incident said to have been taken place during the quarrel. He would submit that the petitioner have no intention to cause death of the victim. He would submit that major part of the investigation is also over. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that, on 02.11.2024, at about 12.00 hours, the defacto complainant gave a complaint before the respondent police that, there was a property dispute with regard to 4 acres of land between the accused person and the family members of the defacto complainant. Subsequently, A-1 along with other co-accused, A-2 to A-7, trespassed into the house of the defacto complainant, abused in a filthy



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language and assaulted the mother-in-law using an iron rod, due to which, she sustained injury, later died. He would further submit that the investigation has been completed and the final report has been filed through e-filing before the learned Judicial Magistrate, Thirukovilur. He would further submit that there is no previous case pending against this petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and 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, Thirukovilur, Kallakurichi District**, 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 shall stay at Chennai and report before the Inspector of Police, Periyamet Police Station,



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Chennai everyday at 10.30 a.m., until further orders and the petitioner shall not enter into the jurisdiction limit of the respondent police 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 of B.N.S.

16.12.2024

dsn

To



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1. The learned Judicial Magistrate, Thirukovilur,
Kallakurichi District.
2. The Station House Officer,
Thirukoilur Police Station,
Kallakurichi District.
3. The Inspector of Police,
Periyamet Police Station,
Chennai.
4. The Superintendent,
Central Prison, Cuddalore.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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