



Crl.O.P.No.703 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

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

Crl.O.P.No.703 of 2025

Kavandamani @ Arapbuli

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kolathur Police Station,
Salem District.
(Crime No.351 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner/accused on bail, in connection with Crime No.351 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.N.Sudharsan

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

ORDER

Petition seeking bail in respect of Crime No.351 of 2024 registered for the alleged offences punishable under Section 109 of BNS, is on board for consideration.



Crl.O.P.No.703 of 2025

WEB COPY

2. The incarceration of the petitioner/A1 being from 16.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is in no way connected with the alleged offence, however, misunderstanding the relationship between the petitioner and A2, the de facto complainant has given a false complaint against the petitioner. He also submits 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 due to the relationship between the petitioner and A2, who is the daughter-in-law of the de facto complainant, there was an enmity between the petitioner and the son of the de facto complainant/husband of A2 and on account of which, the accused had attempted to murder the de facto complainant's son by assaulting him with knife. He also submits that the injured has been discharged from the hospital and the case is under investigation. He further submits that there is no previous case against the petitioner.



CrI.O.P.No.703 of 2025

WEB COPY

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, and also considering the period of incarceration undergone by the petitioner, 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 No.I, Mettur, Salem**, 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 Vellore and report before the Inspector of Police, Sathuvachari Police Station, everyday at 10.30 a.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



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Crl.O.P.No.703 of 2025

A.D.JAGADISH CHANDIRA., J.

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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.

21.01.2025

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To

1. The Judicial Magistrate No.I,
Mettur, Salem.
2. The Inspector of Police,
Kolathur Police Station,
Salem District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Sathuvachari Police Station,
Vellore District.

Crl.O.P.No.703 of 2025