



Crl.O.P.No.1467 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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

Crl.O.P.No.1467 of 2025

Rajendiran

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
Jolarpet Police Station,
Thirupathur District.

(Crime No.722 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.722 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.722 of 2024 registered for the alleged offences punishable under Sections 296(b), 118(1), 109 and 351(3) of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 26.12.2024 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 also submits that the petitioner is none other than the brother of the de facto complainant and due to the existing land dispute between them, the de facto complainant has given a false complaint. 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 put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner and the de facto complainant are brothers and there is a land dispute between them and on account of which, the accused had abused the de facto complainant and his wife in filthy language and assaulted them with knife causing injuries. He also submits that the injured was discharged from the hospital and it is a case and a case in counter. He further submits that the case is under investigation and there is no previous case against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused



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the materials available on record, and also considering the facts of the case and 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, Thirupathur**, 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 Madurai and report before the Inspector of Police, Othakadai 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 conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down



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A.D.JAGADISH CHANDIRA., J.

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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.

28.01.2025

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To

1. The Judicial Magistrate No.I,
Thirupathur.
2. The Inspector of Police,
Jolarpet Police Station,
Thirupathur District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Othakadai Police Station,
Madurai District.

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