



Crl.O.P.No.1998 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

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1. Kannan
2. Venkatesan
3. Eswaran
4. Sowmiya

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
(Crime No.02 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.02 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.K.Balakrishnan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

For Intervenor : Mr.G.Mohammed Aseef

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 05.01.2025, seeking bail in



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Crime No.02 of 2025 registered for the offence under Sections 296(b), 127(2), 115(2), 118(1), 351(3) of BNS Act.

2. The case of the prosecution is that, due to previous enmity, on the date of occurrence, accused persons have sprinkled chilly powder on complainant's eyes and assaulted with wooden log and caused injuries. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in custody from 05.01.2025 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, due to previous enmity, on the date of occurrence, accused persons have sprinkled chilly powder on complainant's eyes and assaulted with wooden log and caused injuries. He further submitted that there are no previous case against the petitioners.



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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. Considering the nature of allegation against the petitioners, period of incarceration, there is no previous case against the petitioners and since further custody is not required for the purpose of investigation, 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 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, Palacode**, 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 petitioners shall stay at Krishnagiri and report before the Inspector of Police, Krishnagiri Town Police Station daily at 10.30 a.m., until further orders;



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[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 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.

03.02.2025

Sma
To

1. The Judicial Magistrate,
Palacode.
2. The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
3. The Superintendent,
Sub Jail, Dharmapuri
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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