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Crl.O.P.No.2102 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

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

Crl.O.P.No.2102 of 2025

Suresh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Palladam Police Station,
Tiruppur District.
(Crime No.2 of 2025).

... 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.2 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.K.Sriram Senior Advocate
for Mr.S.Surya

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

ORDER

Petition seeking bail in respect of Crime No.2 of 2025 registered
for the alleged offences punishable under Sections 126(1), 296(b), 115(2),



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118(1) and 109 of BNS, is on board for consideration.

2. The incarceration of the petitioner being from 10.01.2025 pleading innocence on the part of the petitioner and false implication in the case, learned Senior Counsel for the petitioner seeks indulgence of this Court. He also submits that it is a case and a case in counter. He further submits that the incident was happened during the scuffle happened between two gangs on the new year eve and since the petitioner and the victim/deceased are strangers, there is no intention or motive on the part of the petitioner to commit murder of the victim/deceased. He also submits that even on the alleged date of occurrence, the victim/deceased and his friends were in an inebriated condition and picked up quarrel with the petitioner and others. He further submits that the petitioner had voluntarily surrendered before the Judicial Magistrate, Palladam on 10.01.2025. 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 it is a case and a case in counter, where, on the New Year Eve, the accused and his friends had blocked the Auto in



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which the victim and his friends were travelling, due to which, there was a wordy quarrel between two parties and in which, both the parties assaulted each other causing injuries. He also submits that the injured were admitted in the hospital, however, one Manikandan died without responding to the treatment. He further submits that the case is under investigation and the petitioner herein had surrendered before the Judicial Magistrate, Palladam. He also submits that three previous cases are pending against the petitioner.

4. Having heard the learned Senior 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, Palladam**, 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;



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[b] the petitioner shall stay at Chennai and report before the Inspector of Police, B-1, North Beach 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 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.

29.01.2025

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To

1. The Judicial Magistrate,
Palladam.
2. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
B-1, North Beach Police Station,
Chennai.



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A.D.JAGADISH CHANDIRA., J.

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