



Crl.O.P.No.2345 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2345 of 2025

1. Justin Thiraviyam
2. Arul Suresh
3. Praveen
4. Rahul

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

(Crime No.3 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with the Crime No.3 of 2025, on the file of the respondent Police.

For Petitioners : Mr.Deepan Uday

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



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ORDER

This Criminal Original Petition has been filed by the petitioners, who was arrested and remanded to judicial custody, seeking bail in Crime No.3 of 2025 registered for the offence under Sections 118(1), 296(b), 115(2) and 109 of BNS.

2. The case of the prosecution is that the de facto complainant is working in a butcher shop and on 01.01.2025, when he was walking along with his employers, A1 had driven his Auto in a rash and negligent manner and when the same was questioned by the de facto complainant, wordy altercation taken place between the de facto complainant and other accused. As a result, both the parties attacked each other.

3. Learned counsel appearing for the petitioners submitted that a counter case has been registered based on the complaint given by the petitioners against the de facto complainant and his gang in Crime No.2 of 2025 for the offence under Sections 126(1), 296(b), 115(2), 118(1) and 109 of BNS. He further submitted that petitioners 1, 2 and 4 are in custody from 02.01.2025 and the third petitioner is in custody from 04.01.2025. Hence, he prayed that the petitioners may be enlarged on bail.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, confirmed the fact that there is a case in counter and also submitted that the injured have been discharged from the hospital.

5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the fact that the injured has been discharged from the hospital, nature of allegation against the petitioners and the period of incarceration undergone by them, this Court is of the view that the further custody of the petitioners is not required for the purpose of investigation. Therefore, 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 their executing separate bond each 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, Tiruppur** and on further conditions that:



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[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 report before the respondent Police, everyday at 10.30 a.m., until further orders;

[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

31.01.2025

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



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SUNDER MOHAN., J.

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